CHARTER

OF THE

City of Glenarden

PRINCE GEORGE'S COUNTY, MARYLAND

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CONTENTS

ARTICLE I
General Corporate Powers

Section

101. Enumeration.

ARTICLE II
Corporate Limits

201. Description; public filing of corporate limits.

ARTICLE III
Organization of Council

301. Composition; terms of office.
302. Qualifications of Councilmembers.
303. Salary of Councilmembers.
304. Meetings.
305. President and Vice President.
306. Quorum.
307. Rules and order of business; journal; votes in public meeting; roll call votes; minutes.
308. Procedure for enactment of resolutions and ordinances.
309. File of ordinances.

ARTICLE IV
The Mayor

401. Election; term of office.
402. Qualifications.
403. Salary.
404. Powers and duties generally.
405. Acting Mayor.

ARTICLE V
City Manager

501. Creation of Office.
502. Authority.
503. Powers and duties.
504. Annual performance evaluation.

505. Removal from office.
506. Acting City Manager.

ARTICLE VI
General Powers of Council

601. General grant of powers.
602. Enumeration of specific powers.
603. Code of Ethics.
604. Enforcement.

ARTICLE VII
Registration, Nomination, and Election Procedures

701. Board of Elections.
702. Voters.
703. Registration of voters.
704. Absentee voting.
705. Nominations; certifications of candidates.
706. Election of Mayor and Councilmembers.
707. Ward representation.
708. Places for election; listing of candidates; hours polls to be open.
709. Special elections.
710. Vote count.
711. Preservation of ballots.
712. Suspension of elected officials.
713. Vacancies in elective office.
714. Filling of vacancies in elective offices.
715. Regulation and control.
716. Penalties.

ARTICLE VIII
Finance

801. City Treasurer.
802. Powers and duties of Treasurer.
803. Fiscal year.
804. Budget – Submission; message; hearing.
805. Budget contents.
806. Budget amendments before adoption.
807. Budget adoption.
808. Budget amendments after adoption.
809. Budget administration.
810. Lapse of appropriations.
811. Taxation.
812. Borrowing.

813. Tax anticipation borrowing.
814. Revenue bonds.
815. Short term loans.
816. Construction loans.
817. Previous issues.
818. Contract procedure.
819. Notice inviting bids.
820. Bid deposits.
821. Bid opening procedure.
822. Rejection of bids.
823. Award of contract.
824. Prohibition against subdivision.
825. Professional services exception.
826. Emergency exception.
827. Multi–year contract authority.
828. Disposition of City property; surplus property.
829. Minority participation.
830. Annual audit.
831. Additional audits.
832. Annual performance evaluation.
833. Removal from office.

ARTICLE IX
Personnel

901. Authority to employ personnel.
902. Clerk to Council.
903. City Attorney.
904. Merit system.
905. Compensation of employees.
906. Employee benefit programs.

ARTICLE X
Public Ways and Sidewalks

1001. Definition of public ways.
1002. Control of public ways.
1003. Public ways: powers.
1004. Sidewalks: powers.
1005. Special assessments – Power of City.
1006. Same – Procedure.

ARTICLE XI
City Property

1101. Acquisition, possession and disposal.
1102. Condemnation.
1103. City buildings.

ARTICLE XII
General Provisions

1201. Oath of office.
1202. Official bonds.
1203. Prior rights and obligations.
1204. Enforcement and penalties.
1205. Effect of Charter on existing ordinances.
1206. Separability.

ARTICLE XIII
Boards, Commissions and Advisory Committees

1301. Establishing of boards, commissions, and advisory committees.

APPENDIX I
Urban Renewal Authority for Slum Clearance

A1–101. Definitions.
A1–102. Powers.
A1–103. Establishment of Urban Renewal Agency.
A1–104. Initiation of Project.
A1–105. Preparation and Approval of Plan for Urban Renewal Project.
A1–106. Disposal of Property in Urban Renewal Area.
A1–107. Eminent Domain.
A1–108. Encouragement of Private Enterprise.
A1–109. General Obligation Bonds.
A1–110. Revenue Bonds.
A1–111. Separability.
A1–112. Review and Approval.
A1–113. Short Title.
A1–114. Authority to Amend or Repeal.

GLENARDEN

ARTICLE I
General Corporate Powers

Section 101. Enumeration.

This Charter is the municipal corporation Charter of the City of Glenarden, the corporate name of which is "The City of Glenarden." The municipal corporation here continued, under its corporate name, has all the privileges of a body corporate, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal and to have perpetual succession, unless the Charter and the corporate existence are legally abrogated.

ARTICLE II
Corporate Limits

Section 201. Description; public filing of corporate limits.

(a) The limits of the City of Glenarden shall be as they existed immediately prior to the date of this Charter, subject to all rights, reservations, limitations, and conditions as may be set forth in all prior resolutions of annexation and in the Charter of the City in effect immediately prior to this Charter, and as may be hereafter amended as provided by law.

(b) The courses and distances showing the exact corporate limits of the City shall be filed at all times with the Clerk of the Circuit Court for Prince George's County and the Director of the Department of Legislative Reference [Services] of the Maryland General Assembly. In addition, a copy of the courses and distances describing the corporate boundaries shall be on file in the City in a suitable book or place, properly indexed and reasonably available for public inspection during normal business hours.

ARTICLE III
Organization of Council

Section 301. Composition; terms of office.

(a) *Number; selection; length of term.* All legislative powers of the City are vested in a Council consisting of seven Councilmembers, who shall be elected as hereinafter provided and who shall hold office for a term of two years, or until their successors take office, except that beginning with the election in May, 2013, the term of office for all Councilmembers shall be four years, or until their successors take office.

(b) *Beginning and end of term.* The regular term of Councilmembers shall begin one hour after the start of the regular Council meeting on the second Monday in June following their election and shall expire upon the seating of their successors. Councilmembers holding office at the time this Charter becomes effective shall continue to hold office for the term for which they were elected or until their successors take office under the provisions of this Charter. (Res. No. CR–05–2013, 4–30–13.)

Section 302. Qualifications of Councilmembers.

Councilmembers shall be at least twenty–one years of age, shall have resided in the City for at least one year immediately preceding their election, and shall be qualified voters of the City pursuant to Section 702 of this Charter. Any person who has claimed a principal residence outside of the corporate limits of the City of Glenarden in filings with the State of Maryland, including as part of an application for the Homestead Tax Credit, is not a resident for purposes of this section for the time period claimed. (Res. No. CR–06–2013, 7–2–13.)

Section 303. Salary of Councilmembers.

Each Councilmember shall receive an annual salary which shall be equal for all Councilmembers and shall be as specified from time to time by an ordinance passed by the Council in the regular course of its business, provided, however, that the salary specified at the time any Councilmember takes office shall not be changed during the term for which that Councilmember was elected. The ordinance making any change in the salary paid to the several Councilmembers, either by way of increase or decrease, shall be finally ordained prior to the election of the members to whom the salary increase shall apply.

Section 304. Meetings.

(a) The newly elected Council shall meet on the second Monday in June following its election for the purpose of organization, after which the Council shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month except, however, that during the months of July and August the regularly scheduled meetings may be canceled by a majority of the members of the Council. Special meetings shall be called by the Clerk to the Council upon the request of the Mayor, President of the Council, or a majority of the members of the Council.

(b) *Closed sessions.* The Council may meet in closed session or adjourn an open session to a closed session only to:

(1) Discuss:

(i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials over whom it has jurisdiction; or

(ii) Any other personnel matter that affects one or more specific individuals;

(2) Protect the privacy or reputation of individuals with respect to a matter that is not related to public business;

(3) Consider the acquisition of real property for a public purpose and matters directly related thereto;

(4) Consider the investment of public funds;

(5) Consider the marketing of public securities;

(6) Consult with legal counsel to obtain legal advice;

(7) Consult with staff, consultants or other individuals about pending or potential litigation;

(8) Conduct collective bargaining negotiations or consider matters that relate to the negotiations;

(9) Discuss public security, if the Council determines that public discussion would constitute a risk to the public or to public security, including:

(i) The deployment of police services and staff; and

(ii) The development and implementation of emergency plans;

(10) Conduct or discuss an investigative proceeding on actual or possible criminal conduct;

(11) Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or

(12) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the Council to participate in the competitive bidding or proposal process.

(c) *Procedure for closing sessions.* Before the Council meets in closed session, a majority of the Councilmembers present and voting must vote in favor of closing the session. The vote must be conducted and recorded in accordance with State law, and a written statement of the reason for closing the meeting must be made in accordance with State law.

<u>Section 305. President and Vice President.</u>

(a) *President.* At its organizational meeting on the second Monday of June following its election, the Council shall select from its members a President of the Council. The President of the Council shall preside over all meetings of the Council and shall perform other duties as specified by the Council by resolution.

(b) *Vice President.* At its organizational meeting on the second Monday of June following its election, the Council shall select from its members a Vice President of the Council who shall execute the duties of the President in the absence of the President.

Section 306. Quorum.

A majority of the members of the Council shall constitute a quorum for the transaction of business but no ordinance shall be approved nor any other action taken without the favorable votes of at least four members of the Council.

Section 307. Rules and order of business; journal; votes in public meeting; roll call votes; minutes.

(a) *Procedure of Council*. The Council shall determine its own rules and order of business. It shall keep a journal of its proceedings and enter therein yeas and nays upon final action on any question, resolution, or ordinance, or at any other time if required by any one member. The journal shall be open to public inspection. No action requiring a vote of the Council shall be taken except in a public meeting. All votes of the Council on ordinances shall be taken by roll call. All other votes of the Council shall be by roll call only at the request of any Councilmember.

(b) *Copy of minutes.* A duplicate copy of the minutes of all regular and special meetings of the Council shall be posted in bound cumulative form within thirty days in the administrative office and shall be open to public inspection during regular working hours.

(c) *Copy for Councilmembers.* Each Councilmember shall be given a complete copy of the minutes of each meeting of the Council, regular and special, that occurs while he or she is a member of the Council.

Section 308. Procedure for enactment of resolutions and ordinances.

(a) *Definitions.*

(1) Resolution shall mean a formal expression of opinion, will or intent of the Council adopted by a vote of the Council and, unless otherwise required by law, is without the force of an ordinance.

(2) Ordinance shall mean a legislative enactment adopted in a manner prescribed by this Section, that shall have the full force of law.

(b) A resolution may be introduced by any Councilmember at any regular or special meeting of the Council. Unless otherwise required by law, a resolution may be enacted by the

Council at the meeting at which it is introduced. A resolution shall be enacted by the affirmative vote of at least four members of the Council.

(c) An ordinance may be introduced by any Councilmember at any regular or special meeting of the Council. No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Council, held not less than six nor more than sixty days after the meeting at which an ordinance was introduced, the proposed ordinance shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date. In cases of emergency the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of five members of the Council.

(d) All ordinances passed by the Council shall be promptly delivered by the Clerk to the Mayor for his or her approval or disapproval. If the Mayor approves any ordinance, he or she shall sign it. If the Mayor disapproves any ordinance, he or she shall not sign it. The Mayor shall return all ordinances to the Clerk within six days after delivery to him or her (excluding the first day, including the last day, and excluding any Sunday) with his or her approval or disapproval. Any disapproved ordinance shall not become a law unless subsequently passed by a favorable vote of five–sevenths of the whole Council within thirty–five calendar days from the time of the return of the ordinance. If the Mayor fails to return any ordinance within six days of its delivery, it shall be deemed to be approved by the Mayor and shall become law in the same manner as an ordinance signed by him or her.

(e) Every ordinance, unless it is passed as an emergency ordinance, shall become effective at the expiration of twenty calendar days following approval by the Mayor or passage by the Council over the Mayor's veto. An emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over his or her veto by the Council.

Section 309. File of ordinances.

(a) Each proposed ordinance shall be posted in the Municipal Center until it is approved or disapproved pursuant to this Article.

(b) Ordinances currently in effect shall be permanently filed by the Clerk and shall be kept available for public inspection.

ARTICLE IV
The Mayor

Section 401. Election; term of office.

(a) *Selection and term.* The Mayor shall be elected as hereinafter provided and shall hold office for a term of two years or until a successor is elected and qualified, except that beginning with the election in May, 2013, the term of office for the Mayor shall be four years, or until a successor is elected and qualified. The newly elected Mayor shall take office one hour after

the start of the regular Council meeting on the second Monday in June following his or her election. The Mayor holding office shall continue to hold office for the term for which he or she was elected or until a successor takes office under the provisions of this Charter.

(b) *Term limits.* No person shall be elected Mayor for more than three consecutive two–year terms. No person who was elected as Mayor for three consecutive two year terms prior to the election in May, 2013, may be elected Mayor in the election of 2013 or thereafter beginning with the election in May, 2013. No person shall be elected Mayor for more than two four-year terms, whether or not consecutive. (Res. No. CR–01–2013, 3–5–13; Res. No. CR–02–2013, 3–5–13.)

Section 402. Qualifications.

The Mayor shall be at least 21 years of age, shall have resided in the City for at least one year immediately preceding election, and shall be a qualified voter of the City pursuant to Section 702 of this Charter. Any person who has claimed a principal residence outside of the corporate limits of the City of Glenarden in filings with the State of Maryland, including as part of an application for the Homestead Tax Credit, is not a resident for purposes of this section for the time period claimed. (Res. No. CR–06–2013, 7–2–13.)

Section 403. Salary.

The Mayor shall receive an annual salary as set from time to time by an ordinance passed by the Council in the regular course of business. No change shall be made in the salary for any Mayor during the term for which he or she was elected. The ordinance making any change in the salary paid to the Mayor, either by way of increase or decrease, shall be finally ordained prior to the election of the Mayor to whom the salary increase shall apply.

Section 404. Powers and duties generally.

(a) The Mayor shall see that the ordinances of the City are faithfully executed and shall be the chief executive officer of the City government.

(b) The Mayor each year shall report to the Council the condition of municipal affairs and make such recommendations as he or she deems proper for the public good and the welfare of the City.

(c) The Mayor shall have the power to veto ordinances passed by the Council as provided in Section 308 (d).

(d) The Mayor shall have such other powers and perform such other duties as may be prescribed by this Charter or as may be required by the Council, not inconsistent with this Charter.

(e) The Mayor shall attend all Council meetings and make monthly reports to the Council and citizens.

(f) The Mayor may not incur any expense, nor enter into any contract, on behalf of the City without prior approval of the Council. (Res. No. CR–01–2015, 1–27–15).

Section 405. Acting Mayor.

(a) When the Mayor is absent for a period of less than thirty days, the President of the Council shall serve as acting Mayor until the return of the Mayor.

(b) When both the Mayor and the President of the Council are absent from the City, and the period of such absence is less than thirty days, the duties of acting Mayor shall be exercised by the Vice President of the Council.

(c) In those instances where the duties of Mayor are exercised by either the President or the Vice President of the Council pursuant to this Section, such duties shall include the co–signing of City checks and drafts, the execution of contracts and other legal documents on behalf of the City, the approving or disapproving of legislation or ordinances passed by the Council, and the administering of oaths of office.

(d) While acting as Mayor, the Council President shall not perform the legislative functions of the President of the Council. Upon return of the Mayor, the President of the Council shall resume his or her position as President of the Council.

ARTICLE V
City Manager

Section 501. Creation of Office.

The Mayor shall appoint and the Council shall confirm a City Manager. The City Manager shall be appointed solely on the basis of executive and administrative qualifications. The City Manager need not be a resident of the City or State at the time of appointment, but may reside outside the City limits while in office only with the approval of the Mayor and Council. The City Manager shall not participate in election campaigns for City office or run for any elective City office while serving as City Manager.

Section 502. Authority.

The City Manager shall be the chief administrative officer of the City and shall be responsible for the administration of all City affairs placed in his or her charge under this Charter. (Res. No. CR–01–2006, 10–27–06.)

Section 503. Powers and duties.

The City Manager shall:

(a) Administer the personnel affairs of the City.

(b) Be responsible for the enforcement of all personnel rules and regulations adopted by the Council.

(c) Exercise administrative control over all City departments and agencies. In accordance with this Charter, he or she shall recommend to the Council appointment and removal of department and agency heads and all subordinate officers and employees of the offices, departments and agencies of the City government on the basis of merit and supervise all other City employees.

(d) Issue all work requests through the department head involved unless the department head is incapacitated or unavailable.

(e) Attend all meetings of the Council in an advisory capacity.

(f) Assist in the preparation of the annual City budget by coordinating the requests and suggestions of the Mayor, the Council, department and agency heads, and other concerned City personnel; drafting a proposed budget; and assisting the Mayor in preparation of the annual budget message as required by Section 804 (b) of this Charter.

(g) Make reports, as the Mayor or Council may require, concerning the financial condition and future needs of the City, the operation of the City's departments and agencies subject to his or her administrative control, or any other matters the Mayor or Council may designate. These reports may include recommendations as the City Manager deems necessary.

(h) Authorize all purchases of supplies and equipment, in line with the established budget and the availability of specifically allotted funds as authorized by the Council.

(i) Perform other duties as the Mayor or Council may require or as may be required elsewhere in this Charter. (Res. No. CR–01–2015, 1–27–15).

Section 504. Annual performance evaluation.

(a) The City Manager shall be subject to separate annual performance evaluations to be performed by the Mayor and Council.

(b) The performance and evaluation criteria shall be prepared by the Mayor and adopted by the Council and may be periodically revised by the Mayor with the approval of the Council.

Section 505. Removal from office.

The Mayor and Council may remove the City Manager from office in accordance with the following procedures:

(a) The Mayor shall submit to the Council a resolution to consider removal of the City Manager, which must state the reasons for removal, a copy of which shall be delivered to the City Manager as soon as practicable. The Mayor's resolution to consider removal of the City Manager shall not require the approval of the Council. After submitting to the Council a resolution to consider removal of the City Manager, the Mayor may suspend the City Manager from duty with pay for a period not to exceed forty–five days pending Council action on a final resolution of removal.

(b) Alternatively, the Council shall adopt by an affirmative vote of a majority of all its members a resolution to consider removal of the City Manager which must state the reasons for removal and may suspend the City Manager from duty with pay for a period not to exceed forty–five days. Such resolution and suspension shall not require the approval of the Mayor. A copy of the resolution to consider removal shall be delivered to the City Manager as soon as practicable.

(c) Within five days after a copy of the resolution to consider removal is delivered to the City Manager, he or she may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than fifteen days or later than thirty days after the request is filed. The City Manager may file with the Council a written reply to the resolution to consider removal not later than five days before the hearing.

(d) The Council may adopt a final resolution of removal which may be made effective immediately, by affirmative vote of a majority of its members, at any time after five days from the date when a copy of the resolution to consider removal was delivered to the City Manager, if a closed session hearing has not been requested, or at any time after the closed hearing session if one has been requested. (Res. No. CR–03–2014, 7–1–14).

Section 506. Acting City Manager.

The Mayor may recommend and the Council may confirm a qualified City Administrative Officer as acting City Manager to exercise the power and perform the duties of the manager during any temporary absence or disability of the manager. The Council may revoke such designation at any time and appoint another officer of the City as acting City Manager. (Res. No. CR–02–2006, 10–27–06.)

ARTICLE VI
General Powers of Council

Section 601. General grant of powers.

(a) *General powers.* In addition to all powers granted to the Council by this Charter or any other provision of the law, the Council may exercise any power or perform any function which is not now or hereafter denied to it by the Constitution of Maryland, this Charter, or any applicable law passed by the General Assembly of Maryland. The enumeration of powers and functions in

this Charter or elsewhere shall not be deemed to limit the power and authority granted by this Section.

(b) *Exercise of powers.* All the powers of the City shall be exercised in the manner prescribed by this Charter, or, if the manner is not prescribed, then in such manner as may be prescribed by ordinance.

Section 602. Enumeration of specific powers.

(a) *Specific powers.* The Council shall have the following express ordinance–making powers.

(1) *Advertising.* To provide for advertising for the purposes of the City and to print and publish statements as to the business of the City. The Council shall publish all official and legal business of the City in a newspaper of general circulation within the City.

(2) *Aisles.* To regulate and prevent the obstruction of aisles in public halls, churches and places of amusement, and to regulate the construction and operation of the doors and means of egress therefrom.

(3) *Amusements.* To provide in the interest of the public welfare for licensing, regulating, or restraining theatrical or other public amusements.

(4) *Animals.* To regulate the keeping of dogs, cats and other animals in the City and to provide, wherever the County does not license or tax dogs and cats, for the licensing and taxing of them and to provide for the disposition of homeless dogs and cats and dogs and cats on which no license fee or taxes are paid.

(5) *Appropriations.* To appropriate municipal monies for any purpose within the powers of the Council.

(6) *Auctioneers.* To regulate the sale of all kinds of property at auction within the City and to license auctioneers.

(7) *Band.* To establish a municipal band, symphony orchestra or other musical organization, and to regulate by ordinance the conduct and policies thereof.

(8) *Billboards.* To license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the City, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole, or other place within the City.

(9) *Bridges.* To erect and maintain bridges.

(10) *Buildings.* To make reasonable regulations in regard to buildings and signs to be erected, constructed, or reconstructed in the City, and to grant building permits for them, to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require reasonable charges for permits and inspections; to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings and structures be made safe or be taken down. Building permits for multiple family dwellings, subdivisions, commercial and industrial construction shall not be granted without a majority vote of approval of the whole Council.

(11) *Cemeteries.* To regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries.

(12) *Codification.* To provide for the codification of all ordinances.

(13) *Community services.* To provide, maintain and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment of the inhabitants of the City.

(14) *Cooperative activities.* To make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions.

(15) *Curfew.* To prohibit the youth of the City from being in the streets, lanes, alleys, or public places at unreasonable hours of the night.

(16) *Dangerous conditions.* To compel persons about to undertake dangerous improvements to execute bonds with sufficient sureties conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

(17) *Departments.* To create, change, and abolish, offices, departments, or agencies, other than the offices, departments and agencies established by this Charter; to assign additional functions or duties to offices, departments or agencies established by this Charter, but not including the power to discontinue or assign to any other office, department, or agency any function or duty assigned by this Charter to a particular office, department, or agency.

(18) *Elevators.* To require the inspection and licensing of elevators and to prohibit their use when unsafe, dangerous, or unlicensed.

(19) *Explosives.* To regulate or prevent the storage of gunpowder, oil, or any other explosive or combustible matter; to regulate or prevent the use of firearms, fireworks, bonfires, explosives, or any other similar things which may endanger persons or property.

(20) *Filth.* To compel the occupant of any premises or building situated in the City, if it has become filthy or unwholesome, to abate or cleanse the condition; and after reasonable notice to the owners or occupants to authorize such work to be done by the proper officers and to

assess the expense thereof against the property making it collectible by taxes or against the occupant or occupants.

(21) *Finances.* To levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; and to have general management and control of the finances of the City.

(22) *Fire.* To suppress fires and prevent the dangers thereof and to establish and maintain a fire department; to contribute funds to volunteer fire companies serving the City; to inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards, and to forbid and prohibit the use of fire–hazardous buildings and structures permanently or until the conditions of City fire–hazard regulations are met; to install and maintain fire plugs where and as necessary, and to regulate their use; and to take all other measures necessary to control and prevent fires in the City.

(23) *Food.* To inspect and to require the condemnation of food products, if unwholesome, and to regulate the sale of any food products.

(24) *Franchises.* To grant and regulate franchises to water companies, electric light companies, gas companies, telephone companies, transit companies, taxicab companies, cable television companies, and all public communication systems which may be deemed advantageous and beneficial to the City, subject, to the limitations and provisions of Article 23 [the Public Utilities Article] of the Annotated Code of Maryland. No franchise shall be granted for a longer period than fifty years.

(25) *Garbage.* To prevent the deposit of any unwholesome substance either on private or public property, and to compel its removal to designated points; to require slops, garbage, ashes and other waste or other unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal.

(26) *Grants–in–aid.* To accept gifts and grants of federal or state funds from the federal or state governments or any agency thereof, and to expend the funds for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made.

(27) *Hawkers.* To license, tax, regulate, suppress, and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers, and all other persons selling any articles on the streets of the City, and to revoke such licenses for any action or threat of action by such a licensee in the course of his or her occupation which causes or threatens harm to inhabitants of the City or to their welfare or happiness.

(28) *Health.* To protect and preserve the health of the City and its inhabitants; to appoint a public health officer, and to define and regulate his or her powers and duties; to prevent the introduction of contagious diseases into the City; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate, and abate any buildings, structures, or places which cause or may cause unsanitary conditions or conditions detrimental to health; but

nothing herein shall be construed to affect in any manner any of the powers and duties of the Secretary of Health and Mental Hygiene, the County Board of Health or any public, general or local law relating to the subject of health.

(29) *House numbers.* To regulate the numbering of houses and lots and to compel owners to renumber them or in default thereof to authorize and require the work to be done by the City at the owner's expense, such expense to constitute a lien upon the property collectible as tax monies.

(30) *Licenses.* Subject to any restrictions imposed by the public general laws of the State, to license and regulate all persons beginning or conducting transient or permanent business in the City for the sale of any goods, wares, merchandise, or services; to license and regulate any business, occupation, trade, calling, or place of amusement or business; to establish and collect fees and charges for all licenses and permits issued under the authority of this Charter.

(31) *Liens.* To provide that any valid charges, taxes or assessments made against any real property within the City shall be liens upon the property to be collected as municipal taxes are collected.

(32) *Lights.* To provide for the lighting of the City.

(33) *Livestock.* To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs or other animals; to authorize the impounding, keeping, sale and redemption of such animals when found in violation of the ordinance in such cases provided.

(34) *Markets.* To obtain by lease or rent, own, construct, purchase, operate, and maintain public markets within the City.

(35) *Minor privileges.* To regulate or prevent the use of public ways, sidewalks, and public places for signs, awnings, posts, steps, railings, entrances, racks, posting handbills and advertisements, and display of goods, wares, and merchandise.

(36) *Noise.* To regulate or prohibit unreasonable noise.

(37) *Nuisances.* To prevent or abate by appropriate ordinance all nuisances in the City which are so defined by common law, by this Charter, or by the laws of the State of Maryland, whether they be herein specifically named or not; to regulate, to prohibit, to control the location of, or to require the removal from the City of all trading in, handling of, or manufacture of any commodity which is or may become offensive, obnoxious, or injurious to the public comfort or health. In this connection the City may regulate, prohibit, or require the removal from the City of such things as stockyards, slaughterhouses, cattle or hog pens, tanneries, and renderies. This listing is by way of enumeration, not limitation.

(38) *Obstructions.* To remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto, or any other places within the limits of the City.

(39) *Parking facilities*. To license and regulate and to establish, obtain by purchase, by lease or by rent, own, construct, operate, and maintain parking lots and other facilities for off street parking.

(40) *Parking meters.* To install parking meters on the streets and public places of the City in such places as by ordinance they determine, and by ordinance prescribe rates and provisions for the use thereof.

(41) *Parks and recreation.* To establish and maintain public parks, gardens, playgrounds, and other recreational facilities and programs to promote the health, welfare, and enjoyment of the inhabitants of the City.

(42) *Police force.* To establish, operate, and maintain a police force.

(43) *Police powers.* To prohibit, suppress, and punish within the City all vice, gambling and games of chance; prostitution and solicitation therefor and the keeping of bawdy houses and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity, and drunkenness.

(44) *Property.* To acquire by conveyance, purchase or gift, real or leasable property for any public purposes; to erect buildings and structures thereon for the benefit of the City and its inhabitants; and to convey any real or leasehold property when no longer needed for the public use, after having given at least twenty days' public notice of the proposed conveyance; to control, protect and maintain public buildings, grounds and property of the City.

(45) *Public ways and sidewalks.* To regulate the use of City streets, roads, alleys, and sidewalks and all structures in, under or above such public ways and sidewalks; to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow or other obstructions and prescribe hours for cleaning sidewalks.

(46) *Quarantine.* To establish quarantine regulations in the interest of the public health.

(47) *Regulations.* To adopt by ordinance and enforce within the corporate limits police, health, sanitary, fire, building, plumbing, traffic, speed, parking, and other similar regulations not in conflict with the laws of the State of Maryland or with this Charter.

(48) *Sweepings.* To regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, garbage, paper, handbills, dirty liquids, or other unwholesome materials into any public way or on any public place or private property in the City.

(49) *Taxicabs.* To license, tax and regulate public hackers, taxi cab drivers, drivers, porters, and all other persons pursuing like occupations.

(50) *Vehicles.* To regulate and license vehicles not subject to the licensing power of the State of Maryland.

(51) *Voting machines.* To purchase, lease, borrow, install, and maintain voting machines for use in City elections.

(b) *Enumeration not exclusive.* The enumeration of powers in this Section is not to be construed as limiting the powers of the City to the several subjects mentioned.

Section 603. Code of Ethics.

The Council shall adopt, by ordinance, a code of ethics that complies with Title 15, Subtitle 8, of the State Government Article [Title 5, Subtitle 8 of the General Provisions Article], Annotated Code of Maryland, as amended. (Res. No. CR–02–2011, 11–1–11.)

Section 604. Enforcement.

To assure the observance of the ordinances of the City, the Council has such powers as are provided by State law and this Charter.

ARTICLE VII
Registration, Nomination, and Election Procedures

Section 701. Board of Elections.

(a) There shall be a Board of Elections consisting of ten members who shall be appointed by the Mayor with the approval of the Council on or before the first Monday in February in every odd numbered year.

(b) The terms of members of the Board of Elections shall begin on the first Monday in February in the year in which they are appointed and run for two years. Members of the Board of Elections shall be qualified voters of the City pursuant to Section 702 of this Charter. The Board shall appoint one of its members as Supervisor of the Board, and another as Assistant Supervisor of the Board of Elections; the other eight members shall be known as judges. No member of the Board shall hold or be a candidate for any elective office during his or her term of office. Vacancies on the Board shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term. The compensation of the members of the Board shall be determined by the Council.

(c) Any member of the Board of Elections may be removed for inefficiency, malfeasance, misfeasance, nonfeasance, misconduct in office, or insubordination by the Council by ordinance. Before removal, the member of the Board of Elections to be removed shall be given a written copy of the charges against him or her and shall have a public hearing before the Council if he or she so requests within ten days after receiving the written copy of the charges.

(d) The Board of Elections shall be in charge of the registration of voters, nominations, and all City elections, and shall be governed by the voter registration and election laws of Maryland. The Board may appoint election clerks or other employees to assist it in any of its duties. The Board shall not cause or seek to cause any meetings to be held for any candidate campaign.

(e) The Board of Elections shall give at least two weeks notice of every City election by an advertisement published in a newspaper of general circulation within the City and by posting a notice thereof in some public place or places in the City.

(f) If any person shall feel aggrieved by any action of the Board of Elections, such person may appeal to the Council or to the Circuit Court for the County. Any decision or action of the Council upon such appeals may be appealed to the Circuit Court for the County within thirty days of the decision or action of the Council.

Section 702. Voters.

Every person who meets all the following requirements may vote in City elections:

(a) Is a citizen of the United States;

(b) Is at least eighteen years of age;

(c) Has resided within the corporate limits of the City for the thirty days immediately preceding the next City election; and

(d) Is registered in accordance with the provisions of this Charter.

Section 703. Registration of voters.

(a) Registration by the Prince George's County Board of Elections shall be deemed registration for City elections, provided that the person so registered meets the voter qualifications enumerated in this Charter. The Glenarden Board of Elections shall accept the list of registered voters provided by the Prince George's County Board of Elections as a valid registration list for the City.

(b) City registration forms shall be made available at the Municipal Center during normal business hours for any Glenarden resident who chooses not to register with Prince George's County. If necessary for the performance of registration or the convenience of the citizens of the City, the Mayor may designate specific days as registration days.

(c) Each person who is qualified to vote pursuant to Section 702 of this Charter and who registers in the City, shall be issued a City voter identification card showing his or her name and address with signature.

(d) The Glenarden Board of Elections shall maintain a supplemental voting list of persons who register to vote in the City. It shall be the duty of the Glenarden Board of Elections

to keep the supplemental registration lists up to date in accordance with State law. The Council is hereby authorized and directed, by ordinance, to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration, and to provide for a re–registration when necessary.

(e) No person shall be entitled to vote in a City election unless he or she is duly registered to vote at least thirty days prior to that election. Registered voters whose residency changes from one ward to another ward during the thirty days prior to an election shall be entitled to vote in their old ward only.

Section 704. Absentee voting.

Any qualified voter registered to vote in the elections of the City of Glenarden who may be unavoidably absent from the City or who is otherwise prevented from being present and personally voting at the polls on any municipal election day is entitled to vote by absentee ballot in a manner prescribed by ordinance. (Res. No. CR–04–2013, 3–5–13.)

Section 705. Nominations; certifications of candidates.

Any person desiring to become a candidate for Mayor or Councilmember shall, at least thirty days before election, file or cause to be filed with a member of the Board of Elections a petition stating that he or she is a candidate for the office, which petition shall be signed by such candidate and endorsed by at least fifteen persons entitled to vote in the next City election. Upon the filing of such petition, the candidate shall pay a fee to the Board of Elections. The filing fee shall be set from time to time by ordinance of the Council and shall be the same for all candidates. The Board shall certify candidates for the regular City election at least twenty–five days prior to the date set for such election. No person shall file for nomination to more than one elective City public office or hold more than one elective City public office at any one time.

Section 706. Election of Mayor and Councilmembers.

An election for Mayor and Councilmembers, under this Charter, shall be held on the first Monday in May, in the year two thousand and thirteen, and on the same day and month in every fourth year thereafter. (Res. No. CR–02–2013, 3–5–13; Res. No. CR–05–2013, 4–30–13.)

Section 707. Ward representation.

(a) A voting district or ward system shall be utilized within the City to elect five Councilmembers. Two Councilmembers and the Mayor shall be elected at large.

(b) Three individual councilmanic districts/wards are hereby established within the City and the number of Councilmembers elected to represent each ward shall be as follows:

(1) Ward I shall be represented by 2 Councilmembers.

(2) Ward II shall be represented by 2 Councilmembers.

(3) Ward III shall be represented by 1 Councilmember.

(c) The boundaries of the three wards shall be as follows:

(1) Ward I. All properties within the City that lie west of Martin Luther King, Jr. Highway.

(2) Ward II. All properties within the City that lie between Martin Luther King, Jr. Highway and Brightseat Road.

(3) Ward III. All properties with the City that lie east of Brightseat Road.

(d) In addition to the residency requirement in Section 302 of this Charter, the following residency requirements prevail for ward candidates:

(1) A candidate shall have resided in the ward from which he or she is to be a candidate for at least ninety days.

(2) A change of residence from one ward to another does not negate the representation from the previous ward until the next regular or special election.

(3) In the event of dual residence, a person may be a candidate from only one ward.

(4) A candidate may only be elected to represent the ward in which he or she resides.

Section 708. Places for election; listing of candidates; hours polls to be open.

It is the duty of the Board of Elections to provide for each special and general election a suitable place or places for voting and voting machines. The voting machines for each ward shall show the names of all councilmanic candidates nominated for elective office from that ward, as well as the mayoral and at–large councilmanic candidates, arranged in alphabetical order by office with no party designation of any kind. The Board of Elections shall keep the polls open from 7:00 a.m. to 8:00 p.m. on election days.

Section 709. Special elections.

(a) All special City elections shall be conducted by the Board of Elections in the same manner and with the same personnel, as far as practicable, as City general elections.

(b) In the event a special election is required pursuant to Section 710, said special election shall be held thirty days after the general election unless the thirtieth day falls on a Saturday, Sunday or legal holiday, in which case the special election shall be held on the following day.

(c) Special elections required to fill vacancies in office pursuant to Section 714 of this Charter shall be held thirty days from the date of the vacancy, except where the thirtieth day falls on a Saturday, Sunday or legal holiday, in which case, the special election shall be held on the following day which is not a Saturday, Sunday or legal holiday.

(d) The Mayor or Councilmember elected pursuant to this Section shall take office in the month following the special election at the first regular or special meeting of the Council.

(e) The vote count for a special election for Mayor or Councilmember shall be the same as provided under Section 710 of this Charter.

Section 710. Vote count.

(a) After the closing of the polls, the Board of Elections shall determine the votes cast for each candidate or question and shall certify the results of the election to the Clerk of the Council who shall record the results in the minutes of the Council.

(b) The candidate for Mayor with a majority of the votes cast in the general election for this office shall be declared elected as Mayor. In the event no candidate for Mayor receives a majority of the votes cast in the general election, there shall be a special election between the two candidates who receive the highest number of votes in the general election; the candidate receiving the majority of the votes cast in the special election shall be declared elected as Mayor.

(c) The candidate for the at–large Council position who receives the highest number of votes for the at–large position shall be declared elected as at–large. If there are to be other candidates elected at–large, then the candidate for the at–large position who receives the second highest number of votes for the at–large Council position shall also be declared elected for an at–large Council position. If there are additional at–large Council positions to be filled, the above process is to be continued until all the at–large positions for Councilmember have been declared filled.

(d) The candidate for each ward who receives the highest number of votes for that ward shall be declared elected. If there is more than one Councilmember position to be filled from either or all wards, then the candidate with the next highest number of votes cast for that ward shall be declared elected.

(e) In the event of a tie between any candidates for an elected seat, in which the tie has a bearing on who shall be declared elected, these candidates will participate in a special election pursuant to Section 709.

Section 711. Preservation of ballots.

All ballots used in any City election shall be preserved for at least two years from the date of the election.

Section 712. Suspension of elected officials.

Any person who holds an elective office under this Charter who during a term of office is convicted of or enters a plea of nolo contendere to any crime which is a felony or which is a misdemeanor related to the official's public duties and responsibilities and involves moral turpitude for which the penalty may be incarceration in any penal institution shall be suspended from office and the office shall be filled in accordance with the Constitution and laws of Maryland and the provisions of this Charter.

Section 713. Vacancies in elective office.

(a) *Existence of vacancy.* A vacancy in the office of Mayor or Councilmember shall exist upon the death, resignation, recall, or removal of the official or upon forfeiture of the office by the official in accordance with the provisions of this Section.

(b) *Resignation.* In the event the Mayor or a Councilmember has reason to believe that he or she will be unable to perform the duties of the office as required by this Charter, he or she shall have the right to submit a written resignation. Upon the acceptance of such resignation, the Council shall, by resolution, declare the office vacant and proceed to fill such vacancy pursuant to the applicable provisions of this Charter.

(c) *Recall.* The Mayor or a Councilmember may be recalled from office for specific failure to properly perform the duties of the office in accordance with the following procedure:

(1) A petition, signed by not less than twenty–five percent of the registered voters of the City, for officials elected at–large, or by not less than twenty–five percent of the registered voters of the ward, for officials elected by ward, shall be presented to the Council at a regular Council meeting. The petition shall state the name and office of the official to be recalled and the justification for the recall. A separate petition shall be required for each official for whom recall is sought.

(2) Upon receipt of a petition to recall an official, the Council shall refer the petition to the Board of Elections for verification of the appropriate number of registered voters' signatures. The Board of Elections shall return the petition with written findings to the Council at the next regular Council meeting. At this meeting, if the Board of Elections has authenticated the petition, the Council shall set a date for a special election to be held within sixty days providing for a vote for or against the recall. In the case of a petition to recall an official elected to represent a ward, only voters registered to vote in that ward shall be eligible to cast votes at the special election.

(3) If the majority of the votes cast at the special election are for the recall, the office shall be declared vacant.

(d) *Removal of Mayor or a Council Member.* If the Mayor or a Council Member fails to exercise the duties of office for a period of ninety consecutive days, the Council by a five–sevenths vote of its membership may adopt a resolution declaring the office of Mayor or

Council Member to be vacant because of the failure of the Mayor or Council Member to perform. Any such vacancy shall be filled pursuant to Section 714 of this Charter.

(e) *Forfeiture of office.* Any person holding elective office under this Charter shall immediately forfeit the office if the person ceases to be a resident of the City. Any person who claims a principal residence outside of the corporate limits of the City of Glenarden in filings with the State of Maryland, including as part of an application for the Homestead Tax Credit, ceases to be a resident of the City for purposes of this section. (Res. No. CR–02–2009, 10–28–08; Res. No. CR–06–2013, 7–2–13.)

Section 714. Filling of vacancies in elective offices.

(a) *Mayor.* In the case of a vacancy in the office of Mayor as provided in Section 713, the vacancy shall be filled in the following manner:

(1) Where there are less than ninety (90) days remaining in the unexpired term of Mayor, the President of the Council shall serve as Mayor until the expiration of the term of office, and the Vice President of the Council shall become President of the Council. The seat of the former President of the Council shall be declared vacant, to be filled pursuant to Subsection (b) of this Section. After selection of a new Councilmember pursuant to this Section, the Council shall select a new Vice President from among its members.

(2) Where there are more than ninety days remaining in the unexpired term of Mayor, the Council shall by resolution, adopted by the affirmative vote of a majority of its membership, set a date and time for a special election to fill such vacancy in a manner prescribed by Section 709 of this Charter. The Mayor so elected shall have all the titles, powers, duties and emoluments of that office.

(b) *Council.* If a vacancy occurs on the Council the vacancy shall be filled in the following manner:

(1) When there are less than ninety days remaining in the unexpired term, the remaining members of the Council, within thirty days of the vacancy, shall select a resident to fill the unexpired term. This appointment shall be effective immediately. All qualifications of office contained in Section 302 and Section 707 (d) of this Charter shall pertain to a Councilmember appointed to fill a vacancy under this Section.

(2) In all other events, the Council shall cause to be held a special election as prescribed in Section 709 of this Charter to fill the vacancy.

Section 715. Regulation and control.

The Council has the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of registration, nomination, and elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud.

Section 716. Penalties.

Any person who (a) fails to perform any duty required of him or her under the provisions of this Article or any ordinances passed hereunder, (b) in any manner willfully or corruptly violates any of the provisions of this Article or any ordinance passed hereunder or (c) willfully or corruptly does anything which will or will tend to affect fraudulently any registration, nomination, or election, shall be deemed guilty of a misdemeanor. Any appointed officer or employee of the City government who is convicted of a violation of the provisions of this Section shall immediately cease to hold such office or employment.

ARTICLE VIII
Finance

Section 801. City Treasurer.

There shall be a City Treasurer appointed by the Mayor with the approval of the Council. The Treasurer shall serve at the pleasure of the Mayor and the Council. The Treasurer shall be the chief financial officer of the City. The financial powers of the City, except as otherwise provided by this Charter, shall be exercised by the Treasurer with oversight by the City Manager. The Council President or designee shall be the only one(s) authorized to request information from the Treasurer on behalf of the Council. (Res. No. CR–28–2005, 5–10–05.)

Section 802. Powers and duties of Treasurer.

Under the supervision of the City Manager, the Treasurer shall have the authority and shall be required to:

(a) Assist the City Manager in preparation of an annual budget to be submitted by the Mayor to the Council.

(b) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to assure that budget appropriations are not exceeded. In no event may the Treasurer issue any check, make use of a credit or debit card, or make any other expenditure, without approval of the Council members authorized to sign checks.

(c) Maintain a general accounting system for the City in such form as the Council may approve, not contrary to State law.

(d) Submit at the end of each fiscal year, and at such other times as the Council, Mayor, or City Manager may require, a financial report to the Council through the Mayor.

(e) Ascertain that all taxable property within the City is assessed for taxation.

(f) Collect all taxes, special assessments, license fees, liens, and all other revenues (including utility revenues) of the City, and all other revenues for whose collection the City is responsible and receive any funds receivable by the City.

(g) Have custody of all public monies belonging to or under the control of the City, except funds in the control of any set of trustees, and have custody of all bonds and notes of the City.

(h) Do such other things in relation to the fiscal or financial affairs of the City as the Mayor, City Manager, or the Council may require or as may be required elsewhere in this Charter. (Res. No. CR–01–2015, 1–27–15).

Section 803. Fiscal year.

The City shall operate on an annual budget. The fiscal year of the City shall begin on the first day of July and shall end on the last day of June in the following year. The fiscal year constitutes the tax year, the budget year, and the accounting year.

Section 804. Budget – Submission; message; hearing.

(a) *Submission of budget.* On or before the fifteenth day of April of each year, the Mayor shall submit to the Council a budget for the ensuing fiscal year and an accompanying message.

(b) *Budget message.* The Mayor's message shall explain the budget both in fiscal terms and in terms of work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the City's debt position and include such other material as the Council may require or the Mayor deems desirable.

(c) *Council action on budget.* Upon receipt of the proposed budget from the Mayor, the Council shall publish in one or more newspapers of general circulation in the City the general summary of the proposed budget and tax levy, and a notice stating:

(1) The times and places where copies of the message and budget are available for inspection by the public.

(2) The time and place, not less than two weeks after such publication, for a public hearing on the budget. Copies of the budget shall be made available for distribution to the public at least two weeks prior to hearing.

Section 805. Budget contents.

(a) The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as

the Mayor deems desirable or the Council may require. In organization, the budget shall follow the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year.

(b) The budget shall indicate in separate sections:

(1) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs, and the method of financing such expenditures;

(2) Proposed capital expenditures during the ensuing fiscal year, detailed by office, departments, and agencies when practicable, and the proposed method of financing each such capital expenditure; and

(3) Anticipated net surplus or deficit for the ensuing fiscal year of each utility, business, or enterprise owned or operated by the City; subsidiary budgets for each such enterprise giving detailed income and expenditure information shall be attached as appendices to the budget.

(c) Copies of the budget and of any capital improvement programs as adopted by the Council shall be public records and shall be made available to the public, and open to public inspection at the Municipal Center during normal business hours.

(d) The total of proposed expenditures in the budget shall not exceed the total of estimated revenue.

Section 806. Budget amendments before adoption.

After the public hearing, the Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated revenue.

Section 807. Budget adoption.

(a) The Council shall adopt the budget by ordinance on or before the second Monday in June of the fiscal year currently ending. Adoption of the budget shall be by a favorable vote of at least a majority of the Council.

(b) Adoption of the budget by the Council shall constitute appropriation of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

(c) If the Council fails to adopt the budget by the second Monday in June, the budget for the current fiscal year shall be deemed adopted for the ensuing fiscal year as if it had been enacted by ordinance until the Council adopts a new budget.

Section 808. Budget amendments after adoption.

(a) *Supplemental appropriations.* If during the fiscal year the Mayor certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council by ordinance enacted by the affirmative vote of at least two–thirds of the entire Council may make supplemental appropriations for the year up to the amount of such excess.

(b) *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations. Such appropriations may be made by emergency ordinances in accordance with the provisions of Section 308 of this Charter. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

(c) *Reduction of appropriations.* If at any time during the fiscal year it appears probable to the Mayor that the revenues available will be insufficient to meet the amount appropriated, he or she shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken, and his or her recommendations as to any other steps to be taken. The Council shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may by ordinance reduce one or more appropriations.

(d) *Transfer of appropriations.* At any time during the fiscal year the City Manager may transfer part of any unencumbered appropriation balance within an expenditure classification. Upon written request by the Mayor, the Council may, by ordinance adopted by the affirmative vote of at least two–thirds of the entire Council, transfer part or all of any unencumbered appropriation balance from one expenditure classification to another.

(e) *Limitations; effective date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this Section may be made effective immediately upon adoption.

Section 809. Budget administration.

(a) *Work programs and allotments.* At such time as the City Manager shall specify, each department, office or agency shall submit work programs for the ensuing fiscal year showing the requested allotments of its appropriation by periods within the year. The City Manager shall review and authorize such allotments with or without revision as early as possible in the fiscal year. The Manager may revise such allotments during the year if he or she deems it desirable and shall revise them to accord with any supplemental, emergency, reduced or transferred appropriations made pursuant to Section 808.

(b) *Fees received.* All fees received by an officer or employee of the City government in an official capacity shall belong to the City government and be accounted for to the City.

(c) *Custody of public monies.* All public monies, bonds, and notes belonging to or under the control of the City shall be given to and remain in the custody of the Treasurer. The Treasurer shall provide a bond with such corporate surety and in such amount as the Council by ordinance may require. All taxes, special assessments, license fees, liens, and all other revenues of the City or receivable by the City shall be collected by and remain in the custody of the Treasurer.

(d) *Checks.* All checks issued in payment of salaries or other municipal obligations shall be issued and signed by the Treasurer, Mayor, and a Councilmember selected by the Council.

(e) *Payments and obligations prohibited.* No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the City Manager or his designee first certifies that there is sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and he or she shall be liable to the City for any amount so paid. However, except where prohibited by law nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by either the issuance of bonds or the issuance of construction notes, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year provided, that such action is made or approved by ordinance.

Section 810. Lapse of appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

Section 811. Taxation.

(a) *Notice of tax levy.* Immediately after the adoption of the budget is made by the Council in each year, the Treasurer shall give notice of the making of the levy by posting a notice thereof in some public place or places in the City. The Treasurer shall arrange with the Prince George's County Office of the Maryland Department of Assessments and Taxation to include City taxes on the property tax bill sent to each taxpayer. Failure to give or receive any notice required by this Section shall not relieve any taxpayer of the responsibility to pay on the dates established by this Charter all taxes levied on his or her property.

(b) *Taxable property.* The City Manager shall ascertain that all taxable property within the City is assessed for taxation. All real property and all tangible personal property within the corporate limits of the City, or personal property which may have a situs there by reason of the residence of the owner therein, is subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes. No authority is given by this Section to impose taxes on any property which is exempt from taxation by the Constitution or any laws of the State of Maryland.

(c) *Overdue taxes.* The taxes provided for in Section 807 of this Charter are due and payable on the first day of July in the year for which they are levied and are overdue and in arrears on the first day of the following October. They shall bear interest while in arrears at the rate prescribed by State law until paid. All taxes not paid and in arrears after the first day of the following January shall be collected as provided in Subsection (d).

(d) *Sale of tax delinquent property.* A list of all property on which the City taxes have not been paid and which are in arrears as provided by Subsection (c) of this Section shall be turned over by the Treasurer to the County official responsible for the sale of tax delinquent property as provided in State law. All property listed thereon if necessary shall be sold for taxes by this County official in the manner prescribed by State law.

(e) *Tax relief.* The Council may by ordinance enact tax relief in accordance with Maryland law.

Section 812. Borrowing.

(a) *Authority.* The City shall have the power to borrow money for any proper public purpose and to evidence such borrowing by the issue and sale of general obligation bonds, notes, and other evidences of indebtedness in the manner prescribed in Sections 31 through 39 of Article 23A of the Annotated Code of Maryland, except that said bonds may be sold at either: (1) public sale or (2) private sale without advertisement or publication of notice of sale or solicitation of competitive bids, any public general or public local law to the contrary notwithstanding, if the ordinance actually authorizing the issuance of said bonds shall so specify. All general obligation bonds, notes, or other evidences of indebtedness shall be authorized by ordinance before being issued.

(b) *Indebtedness limitation; limit on borrowing power.* Such sums of money as may be borrowed under the authority of this Section shall not exceed at any one time a total of five percent of the assessed valuation of the property in said City for tax purposes.

(c) *Payment of indebtedness.* The power and obligation of the City to pay any and all general obligation bonds, notes, or other evidences of indebtedness issued by it under the authority of this Charter shall be unlimited and the City shall levy ad valorem taxes upon all the taxable property of the City for the payment of such bonds, notes or other evidences of indebtedness and interest thereon, without limitation of amount. The faith and credit of the City is hereby pledged for the payment of the principal of and the interest on all general obligation bonds, notes, or other evidences of indebtedness issued under the authority of this Section, whether or not such pledge

be stated in the bonds, notes, or other evidences of indebtedness, or in the ordinance authorizing their issuance.

Section 813. Tax anticipation borrowing.

(a) *Authority.* During the first six months of any fiscal year, the City may borrow in anticipation of the collection of the property tax levied for that fiscal year, and may issue tax anticipation notes or other evidences of indebtedness as evidence of such borrowing. Such tax anticipation notes or other evidences of indebtedness shall be first lien upon the proceeds of such tax and shall mature and be paid not later than six months after the beginning of the fiscal year in which they are issued.

(b) *Limitation.* No tax anticipation notes or other evidences of indebtedness of the City shall exceed fifty percent of the property tax levy for the fiscal year in which the notes or other evidences of indebtedness are issued.

(c) *Issuance and sale.* All tax anticipation notes or other evidences of indebtedness shall be authorized by ordinance before being issued. The Council shall have the power to regulate all matters concerning the issuance and sale of tax anticipation notes.

Section 814. Revenue bonds.

(a) *Authority.* The City shall have the power to issue revenue bonds for one or more revenue–producing projects that serve a proper public purpose. Prior to issuance of revenue bonds, the Council shall enact an ordinance stating the public purpose for which the proceeds of the revenue bonds are to be expended.

(b) *Payment of indebtedness.* Revenue bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds derived from the project or projects for which they were issued. Notwithstanding the authority granted to the Mayor and Council by Section 812 of this Charter, the faith and credit of the City may not be pledged for the payment of revenue bonds.

Section 815. Short term loans.

(a) *Authority.* The City shall have the power to borrow from time to time upon the credit of said corporation such sum or sums as may be necessary for carrying out of municipal purposes, but the aggregate amount of such sums borrowed under the authority of this Section shall at no time exceed one hundred twenty–five thousand dollars ($125,000.00). Any short term note or certificate of indebtedness executed pursuant to this Subsection shall be authorized by ordinance before being used.

(b) *Promissory notes.* In case money is so borrowed, the corporation shall issue the promissory note or notes or certificate or certificates of indebtedness of said corporation therefor, to be executed by the Mayor and the Treasurer of Glenarden under the seal of said corporation thereto affixed as evidence or evidences of indebtedness for said sum or sums so borrowed; and

the sum or sums so borrowed and interest thereon shall be repaid from time to time as funds shall become available for the purpose from the funds of said City. The term of said notes or certificates shall not exceed five years. They may be sold by private negotiation, and the interest rate to be applied to them shall not exceed the maximum limit as specified for the sale of municipal bonds by the Annotated Code of Maryland.

Section 816. Construction loans.

(a) *Authority.* The City shall have the power to borrow money for capital improvements and to evidence such borrowing by the issuance of one or more notes, and to secure the payment of such note or notes by the giving of a mortgage (or mortgages) on the property as improved.

(b) *Repayment.* In the case of money so borrowed, the note or notes so issued, and any mortgage given to secure payment of the same shall be signed by the Mayor and the seal of the municipal corporation thereto affixed and the sum or sums so borrowed and interest thereon shall be repaid from time to time as funds shall become available for the purpose from the funds of the City. The term of such notes shall not exceed twenty years.

(c) *Procedures.*

(1) Whenever the Council of Glenarden determines that a need exists for borrowing money to finance a capital improvement for the City, and further determines to borrow money pursuant to this Section, the Council shall first enact an ordinance which shall state the public purpose upon which the loan proceeds are to be expended, the principal amount of the loan, the maximum rate of interest that the City will pay on said principal amount and the term of years over which the loan is to be repaid.

(2) Such ordinance shall contain the following form of notice which notice shall be published in one newspaper of general circulation in the City by two insertions thereof over a period of not less than ten days next preceding the date fixed for submission of written responses by interested banks or financial institutions:

Notice of Solicitation for Construction Loan

The City of Glenarden, Maryland, a municipal corporation organized under the laws of the State of Maryland, is soliciting a construction loan to finance the following capital improvement: _____ the loan is to be in the principal amount of _____ dollars, repayable within _____ year(s), with interest not to exceed ____ percent per annum. The City has authority by virtue of Section 816 of its Charter to secure the payment of the loan by giving a mortgage on the property to be improved. Any bank or financial institution interested in negotiating such a loan with the municipal corporation should send written notification of such interest to the Glenarden City Manager at: James R. Cousins, Jr. Municipal Center, 8600 Glenarden Parkway, Glenarden, Maryland 20706, on or before ___ o'clock __M on the ___ day of (Month), (Year). Such notification should be in a sealed envelope and contain the following notation: "Notification of Interest in Construction Loan."

All such notifications shall be opened promptly at the time and place designated, the names of the banks and financial institutions recorded, and within a period of not more than ten (10) days thereafter, the City Manager shall cause construction loan applications to be filed with all such interested banks and financial institutions. Upon receipt of loan commitments, the City Manager shall submit the same to the Council for a determination as to the bank or financial institution with which the construction loan shall be placed. Such determination shall be made in favor of the bank or financial institution that is able to lend such funds on terms deemed by the Council to be most favorable to the City.

(3) At any time prior to the acceptance of a loan commitment by the City, or at any time prior to the City's execution of a construction loan note or a mortgage as authorized by this Section, if the Council determines that another mode of financing would be more beneficial to the City, it shall have the right to pursue such other method, and to so notify any banks or financial institutions which have responded to its notice soliciting a construction loan.

(4) Before any construction loan note is executed on behalf of the City, the Council shall by ordinance authorize the execution of the specific construction loan note, and shall incorporate by reference into the enabling ordinance the terms of such note. Likewise, before any mortgage is executed to secure the payment of a construction loan note made pursuant to this Section, the Council shall, by ordinance, authorize the execution of the specific mortgage and shall incorporate by reference into the enabling ordinance the terms of such mortgage.

Section 817. Previous issues.

All bonds, notes or other evidences of indebtedness validly issued by the City previous to the effective date of this Charter and all ordinances passed concerning them are hereby declared to be valid, legal, and binding and in full force and effect as if herein fully set forth.

Section 818. Contract procedure.

A. All supplies, material, equipment, construction of public improvements, and contractual services, except as otherwise provided in this Charter, when the estimated cost thereof shall exceed $2,000.00, shall be purchased by formal written contract from the bidder who offers the lowest or best bid as determined by the Mayor and Council as provided in this Charter, after due notice inviting bids.

B. In lieu of the contract bid process required by this section, and in place of Section 821(a), (b) and (c) of this Charter, whenever a federal, state, county or local government, or any agency thereof, whose purchasing policies are comparable to those of the City of Glenarden, has conducted a bid and awarded a contract, the City may purchase by contract the bid item at the bid price from the successful bidder, subject to the approval of the Mayor and Council. Prior to the City's purchase of an item, service or material from a successful bidder of another jurisdiction, the City Manager shall obtain a copy of the jurisdiction's purchasing policies. (Res. No. CR–01–2009, 10–28–08.)

Section 819. Notice inviting bids.

(a) *Newspaper.* Notice inviting bids shall be published at least once in a newspaper of general circulation within the City at least five days preceding the last day set for the receipt of bids.

(b) *Scope of notice.* The newspaper notice required herein shall include a general description of the articles or services to be purchased or sold, shall state where bid forms and specifications may be secured, and the time and place for opening bids.

(c) *Vendors list.* The City Manager shall also solicit sealed bids from all responsible prospective suppliers and contractors who have requested that their names be added to a "vendors list" which the City Manager shall maintain, by sending them a copy of such newspaper notice or such notice as will acquaint them with the proposed purchase or sale. In any case invitations sent to the vendors on the vendor's list shall be limited to commodities that are similar in character and ordinarily handled by the trade group to which the invitations are sent.

(d) *Bulletin board.* The City Manager shall also advertise all pending purchases or sales by a notice posted on the public bulletin board in the Municipal Center.

Section 820. Bid deposits.

When deemed necessary by the City Manager or required by the Council, bid deposits shall be prescribed in the public notices inviting bids. Unsuccessful bidders shall be entitled to return of security deposit where the City Manager has required such. A successful bidder shall forfeit any security deposit required by the City Manager upon failure on the bidder's part to enter a contract within ten days after the award.

Section 821. Bid opening procedure.

(a) *Sealed.* Bids shall be submitted sealed to the City Manager and shall be identified as bids on the envelope.

(b) *Opening.* Bids shall be opened in public at the time and place stated in the public notice.

(c) *Tabulation.* A tabulation of all bids received shall be posted for public inspection.

(d) *Bidders in default to City.* The City Manager shall not accept the bid of a contractor who is in default on the payment of taxes, licenses, or other monies due to the City.

Section 822. Rejection of bids.

The Mayor shall have the authority, upon approval of the Council, to reject all bids, parts of all bids, or all bids for any one or more suppliers or contracted services included in the proposed contract, when the public interest will be served thereby.

Section 823. Award of contract.

(a) *Authority in Mayor.* The Mayor shall have authority to recommend the award of contracts within the context of this Charter.

(b) *Lowest responsible bidder.* Contracts shall be awarded with the approval of the Council, to the lowest responsible bidder. In determining the "lowest responsible bidder", in addition to price, the following factors shall be considered:

(1) The ability, capacity and skill of the bidder to perform the contract or provide the service required;

(2) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay and interference;

(3) The character, integrity, reputation, judgment, experience and efficiency of the bidder;

(4) The quality of performance of previous contracts or services;

(5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;

(6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;

(7) The quality, availability and adaptability of the suppliers, or contractual services to the particular use required;

(8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and

(9) The number and scope of conditions attached to the bid.

(c) *Minimum number of bids.* All open market purchases shall wherever possible, be based on at least three competitive bids, and shall be awarded to the lowest responsible bidder in accordance with the standards set forth in this Section.

(d) *Award to other than low bidder.* When the award is not to the low bidder, a full and complete statement of the reasons for recommending another award shall be prepared by the Mayor and provided to the Council with the other papers relating to the transaction.

(e) *Tie bids.*

(1) *Local vendors.* If all bids received are for the same total amount or unit price, quality and service being equal, the contract shall be recommended for award to a local bidder.

(2) *Outside vendors.* Where Subsection (e)(1) of this Section is not in effect, the Mayor shall recommend award of the contract to one of the tie bidders by the results of drawing lots in public.

(f) *Performance bonds.* The Mayor shall be authorized to require a performance bond, before entering a contract, in such amount as he or she shall find reasonably necessary to protect the best interests of the City, provided that such bond is not less than ten percent of the contract.

Section 824. Prohibition against subdivision.

No contract or purchases shall be subdivided to avoid the requirements of this Charter.

Section 825. Professional services exception.

Expenditures for contracts involving technical or professional services, such as consulting and supervising engineers, architects, attorneys at law, and certified public accountants, are exempt from the provisions of the bidding procedures required by this Charter, provided however, that all contracts for exempt technical or professional services shall be awarded only after notice inviting potential contractors to submit proposals has been given in at least one newspaper of general circulation in the City at least five days prior to the awarding of any contract, and shall be first approved by the Council.

Section 826. Emergency exception.

Notwithstanding any other provision of this Charter, any supplies, purchases or contractual services involving any emergency as clearly found by the Council, may be exempted from the bidding requirements.

Section 827. Multi–year contract authority.

Notwithstanding any other provision of this Charter or City ordinances, the Mayor is hereby authorized to negotiate a multi–year contract, not to exceed three years, for review and approval by the Council. No such multi–year contract shall be authorized without the express approval of the Council.

Section 828. Disposition of City property; surplus property.

(a) The Mayor, with consent of the Council, may declare any unusable, obsolete or outmoded personal property or equipment belonging to the City as surplus property and sell such surplus property to the general public to the highest bidder or offeror.

(b) The method for disposal of property being so declared is through a periodic surplus list placed in the Municipal Center and by circulation throughout the City with the monthly City meeting notice.

(c) The notice shall identify the means of acquisition to be by bid, informal offer or specified auction date.

(d) All revenues collected from the sale of surplus property shall be deposited with the Treasurer.

Section 829. Minority participation.

The Council shall develop guidelines to encourage minority participation in the City's procurement process to provide a proportionate share of procurement contracts to minority business enterprises.

Section 830. Annual audit.

The financial books and accounts of the City shall be audited annually as required by Article 19 of the Annotated Code of Maryland. The results of such audit including copies of the audit, management letters or any pertinent audit documents are to be presented, simultaneously, by the auditor to the Mayor and Council. The audit shall also be summarized and published annually in a newspaper of general circulation in the City within thirty days after receipt by the Mayor and Council.

Section 831. Additional audits.

The Council shall provide for additional financial or management audits as needed.

Section 832. Annual performance evaluation.

(a) The City Treasurer shall be subject to separate annual performance evaluations to be performed by the Mayor and Council with input from the City Manager.

(b) The performance and evaluation criteria shall be prepared by the Mayor and adopted by the Council and may be periodically revised by the Mayor with the approval of the Council. (Res. No. CR–28–2005, 5–10–05.)

Section 833. Removal from office.

The Mayor and Council may remove the City Treasurer from office in accordance with the following procedures:

(a) The Mayor shall submit to the Council a resolution to consider removal of the City Treasurer, which must state the reasons for removal, a copy of which shall be delivered to the City Treasurer as soon as practicable. The Mayor's resolution to consider removal of the City Treasurer

shall not require the approval of the Council. After submitting to the Council a resolution to consider removal of the City Treasurer, the Mayor may suspend the City Treasurer from duty with pay for a period not to exceed forty–five days pending Council action on a final resolution of removal.

(b) Alternatively, the Council shall adopt by an affirmative vote of a majority of all of its members a resolution to consider removal of the City Treasurer, which must state the reasons for removal and may suspend the City Treasurer from duty with pay for a period not to exceed forty–five days. Such resolution and suspension shall not require the approval of the Mayor. A copy of the resolution to consider removal shall be delivered to the Treasurer as soon as practicable.

(c) Within five days after a copy of the resolution to consider removal is delivered to the Treasurer, he or she may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than fifteen days or later than thirty days after the request is filed. The City Treasurer may file with the Council a written reply to the resolution to consider removal not later than five days before the hearing.

(d) The Council may adopt a final resolution of removal which may be made effective immediately, by affirmative vote of a majority of its members, at any time after five days from the date when a copy of the resolution to consider removal was delivered to the City Treasurer, if a closed session hearing has not been requested, or at any time after the closed hearing session if one has been requested. (Res. No. CR–28–2005, 5–10–05; Res. No. CR–03–2014, 7–1–14.)

ARTICLE IX
Personnel

(See Note (2))
Section 901. Authority to employ personnel.

The City may employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the City government. Notwithstanding any other provision of this Charter, all heads of all offices, departments and agencies of the City government and all subordinate officers and employees of the offices, departments and agencies of the City government shall, upon recommendation of the City Manager, be appointed and removed by the Council. (Res. No. CR–01–2015, 1–27–15).

Section 902. Clerk to Council.

There shall be a Clerk to the Council who shall be appointed by the President of the Council with the approval of a majority of the Council and who shall serve at the pleasure of the Council. The Clerk shall attend every meeting of the Council and keep a full and accurate account of the proceedings of the Council. The Clerk shall keep such other records and perform such other duties as may be required by this Charter or the Council. There may also be a Deputy Clerk to the Council who shall be appointed by the President of the Council with the approval of a majority of the

Council and who shall serve at the pleasure of the Council. The Deputy Clerk to the Council shall perform the duties of the Clerk in the absence of the Clerk to the Council.

Section 903. City Attorney.

The Mayor, with the approval of the Council, may appoint a City Attorney. The City Attorney shall be a member of the bar of the Maryland Court of Appeals. The City Attorney shall be the legal adviser of the City and shall perform such duties in this connection as may be required by the Council or the Mayor. The City Attorney's compensation shall be determined by the Council. The Mayor or Council has the power to employ such legal consultants as each deems necessary from time to time.

Section 904. Merit system.

The City may provide by ordinance for appointments and promotions in administrative service on the basis of merit and fitness. To carry out this purpose the Council may adopt such rules and regulations governing the operation of a merit system as it deems desirable or necessary. Among other things these rules and regulations may provide for competitive examinations, the use of eligible lists, a classification plan, a compensation plan, a probation period, appeals by employees included within the classified service from dismissal or other disciplinary action, and vacation and sick leave regulations.

Section 905. Compensation of employees.

The compensation of all officers and employees of the City shall be set from time to time by an ordinance passed by the Council, subject to the restrictions imposed upon establishing the salaries of the Councilmembers and Mayor.

Section 906. Employee benefit programs.

The Council by ordinance may provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees, and may expend public monies of the City for such programs.

ARTICLE X
Public Ways and Sidewalks

Section 1001. Definition of public ways.

The term "public ways" as used in this Charter includes all streets, avenues, roads, highways, public thoroughfares, lanes, and alleys.

Section 1002. Control of public ways.

The City shall have control of all public ways in the City except such as may be under the jurisdiction of the Maryland State Highway Administration. Subject to the laws of the State of Maryland and this Charter, the City may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the City.

Section 1003. Public ways: powers.

The City may:

(a) Establish, regulate, and change from time to time the grade lines, width and construction materials of any City public way or part thereof, bridges, curbs, and gutters.

(b) Grade, lay out, construct, open, extend, and make new City public ways.

(c) Grade, straighten, widen, alter, improve, or close up any existing City public way or part thereof.

(d) Pave, surface, repave, or resurface any City public way or part thereof.

(e) Install, construct, repair, and maintain curbs and/or gutters along any City public way or part thereof.

(f) Construct, reconstruct, maintain, and repair bridges.

(g) Name City public ways.

(h) Have surveys, plans, specifications, and estimates made for any of the above projects or parts thereof.

Section 1004. Sidewalks: powers.

The City may:

(a) Establish, regulate, and change from time to time the grade lines, width, and construction materials of any sidewalk or part thereof on City property along any public way or part thereof.

(b) Grade, lay out, construct, reconstruct, pave, repave, repair, extend, or otherwise alter sidewalks on City property along any public way or part thereof.

(c) Require and order the owner of any property abutting on any public way in the City to perform any projects authorized by this Section at the owner's expense according to reasonable plans and specifications. If after due notice, the owner fails to comply with the order within a

reasonable time, the City may do the work, and the expense may be a lien on the property and be collected in the same manner as City taxes or by suit of law, upon determination of the Council.

Section 1005. Special assessments – Power of City.

The City may levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon the property by the installation or construction of water mains, sanitary sewer mains, storm water sewers, curbs, and gutters and by the construction and paving of public ways and sidewalks or parts thereof, and it may provide for the payment of all or any part of the above projects out of the proceeds of the special assessment. The cost of any project to be paid in whole or in part by special assessments may include the direct cost thereof, the cost of any land acquired for the project, the interest on bonds, notes, or other evidences of indebtedness issued in anticipation of the collection of special assessments, a reasonable charge for the services of the administrative staff of the City, and any other item of cost which may reasonably be attributed to the project.

Section 1006. Same – Procedure.

(a) *Cost.* The part of the project cost to be paid by special assessment shall be apportioned to each property according to the front foot benefit or some other equitable basis determined by the Council.

(b) *Maximum amount.* The amount assessed against any property for any project or improvement shall not exceed the value of the benefits accruing to the property therefrom, nor shall any special assessment be levied which causes the total amount of special assessments levied by the City and outstanding against any property at any time, exclusive of delinquent installments, to exceed twenty–five per cent of the assessed value of the property after giving effect to the benefit accruing thereto from the project or improvement for which assessed.

(c) *Procedure.* All special assessment charges shall be levied by the Council by ordinance. Before levying any special assessment charges, the Council shall hold a public hearing. The City Manager shall cause notice to be given stating the nature and extent of the proposed project, the kind of materials to be used, the estimated cost of the project, the portion of the cost to be assessed, the number of installments in which the assessment may be paid, the method to be used in apportioning the cost and the limits of the proposed area of assessment. The notice shall also state the time and place at which all persons interested, or their agents or attorneys, may appear before the Council and be heard concerning the proposed project and special assessment. Such notice shall be given by sending a copy thereof by mail to the owner of record of each parcel of property proposed to be assessed and to the person in whose name the property is assessed for taxation and by publication of a copy of the notice at least once in a newspaper of general circulation in the City. The City Manager shall present at the hearing a certificate of publication and mailing of copies of the notice, which certificate shall be deemed proof of notice, but failure of any owner to receive the mailed copy shall not invalidate the proceedings. The date of hearing shall be set at least ten and not more than thirty days after the City Manager shall have completed publication and service of notice as provided in this Section. Following the hearing the Council, in its discretion, may vote to proceed with the project and may levy the special assessment.

(d) *Appeals.* Any property owner aggrieved by the levying of any special assessment under the provisions of this Section shall have the right to appeal to the Circuit Court of the County within thirty days after the levying of an assessment by the Council.

(e) *Payments.* Special assessments may be made payable in annual or more frequent installments over such period of time, not to exceed ten years, and in such manner as the Council may determine; the Council shall determine on what date installments shall be due and payable. Interest may be charged on installments at the rate to be determined by the Council.

(f) *When due.* All special assessment installments are overdue six months after the date on which they become due and payable. All special assessments shall be liens on the property and all overdue special assessments shall be collected in the same manner as City taxes or by suit at law.

(g) *Collection.* All special assessments shall be billed and collected by the City Treasurer.

ARTICLE XI
City Property

Section 1101. Acquisition, possession and disposal.

The City may acquire real, personal, or mixed property within the corporate limits of the City for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, leave, or otherwise dispose of any property belonging to the City. All municipal property, funds, and franchises of every kind belonging to or in the possession of the City (by whatever prior name known) at the time this Charter becomes effective are vested in the City, subject to the terms and conditions thereof.

Section 1102. Condemnation.

The City may condemn property of any kind, or interest therein or franchise connected therewith, in fee or as an easement, within the corporate limits of the City, for any public purpose. Any activity, project, or improvement authorized by the provisions of this Charter or any other State law applicable to the City is a public purpose. The manner of procedure in case of any condemnation proceeding shall be that established in the Real Property Article, Title 12, Annotated Code of Maryland.

Section 1103. City buildings.

The City may acquire, obtain by lease or rent, purchase, construct, operate, and maintain all buildings and structures it deems necessary for the operation of the City government.

ARTICLE XII
General Provisions

Section 1201. Oath of office.

(a) Before entering upon the duties of their offices, the Mayor, Councilmembers, the Clerk to the Council, the Treasurer, the City Manager, all department heads designated by the Council, and the members of the Board of Elections, and all other persons elected or appointed to any office of profit or trust in the City government, shall take and subscribe the following oath or affirmation: "I, _____do swear (or affirm, as the case may be) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of _____, according to the Constitution and Laws of this State."

(b) The Mayor shall take and subscribe this oath or affirmation before the Clerk of the Circuit Court for the County or before one of the sworn deputies of the Clerk. All other persons taking and subscribing to the oath shall do so before the Mayor.

Section 1202. Official bonds.

The Treasurer and such other officers or employees of the City as the Council or this Charter may require, shall give bond in such amount and with such surety as may be required by the Council. The premiums on such bonds shall be paid by the City.

Section 1203. Prior rights and obligations.

All rights, titles, and interests held by the City or any other person or corporation at the time this Charter is adopted, in and to any lien acquired under any prior Charter of the City, are hereby preserved for the holder in all respects as if this Charter had not been adopted, together with all rights and remedies in relation thereto. This Charter shall not discharge, impair, or release any contract, obligation, duty, liability, or penalty whatever existing at the time this Charter becomes effective. All suits and actions, both civil and criminal, pending, or which may hereafter be instituted for causes of action, now existing or offenses already committed against any law or ordinance repealed by this Charter, shall be instituted, proceeded with, and prosecuted to final determination and judgment as if this Charter had not become effective.

Section 1204. Enforcement and penalties.

(a) The Council shall have the power to declare that a violation of any City ordinance shall be punishable as a misdemeanor and to affix penalties thereto of less than or equal to the maximum misdemeanor penalty prescribed by Article 23A, Section 3 of the Annotated Code of Maryland. Unless otherwise explicitly provided all violations of City ordinances shall be a misdemeanor.

(b) The Council may declare that a violation of a City ordinance shall be a municipal infraction, unless that violation is declared to be a felony by State law or other ordinance, and affix penalties thereto of less than or equal to the maximum municipal infraction penalty prescribed by Article 23A, Section 3 of the Annotated Code of Maryland. For the purposes of this Charter, a municipal infraction is a civil offense.

(c) Each day a violation continues shall constitute a separate offense.

(d) Any person receiving a citation for a municipal infraction may choose to stand trial for the infraction in a manner prescribed by Article 23A, Section 3 of the Annotated Code of Maryland.

Section 1205. Effect of Charter on existing ordinances.

(a) All ordinances, resolutions, rules, and regulations in effect in the City at the time this Charter becomes effective which are not in conflict with the provisions of this Charter shall remain in effect until changed or repealed according to the provisions of this Charter.

(b) All ordinances, resolutions, rules, and regulations in effect in the City at the time this Charter becomes effective which are in conflict with the provisions of this Charter are repealed to the extent of such conflict.

Section 1206. Separability.

If any section or part of a section of this Charter is held invalid by a court of competent jurisdiction, this holding shall not affect the remainder of this Charter or the context in which such section or part of section so held invalid appears, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

ARTICLE XIII
Boards, Commissions and Advisory Committees

Section 1301. Establishing of boards, commissions, and advisory committees.

From time to time, the Mayor and Council may establish boards, commissions and advisory committees. The members of any such boards, commissions and advisory committees shall be appointed by the Mayor, with the approval of the City Council. Board, commission and advisory committee members will be residents of the City. Any board, commission or advisory committee established by the Council shall promptly adopt written bylaws, subject to the approval of the Mayor and Council. Each board, commission or advisory committee shall keep appropriate minutes of their proceedings, a copy of which shall be provided to the Council Clerk, and shall make periodic reports as requested by the Mayor and Council. Board, commission or advisory committee members who have completed a term may remain in office until such time as a replacement is appointed. (Res. No. CR–27–2005, 5–10–05.)

APPENDIX I

Urban Renewal Authority for Slum Clearance

(See Note (1))

Section A1–101. Definitions.

(a) In this appendix the following words have the meanings indicated.

(b) "Federal Government" shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(c) "Slum Area" shall mean any area where dwellings predominate, which, by reason of depreciation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to the public safety, health or morals.

(d) "Blighted Area" shall mean an area in which a majority of buildings have declined in productivity by reason of obsolescence, depreciation or other causes to an extent they no longer justify fundamental repairs and adequate maintenance.

(e) "Urban Renewal Project" shall mean undertakings and activities of a municipality in an urban renewal area for the elimination and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include —

(1) acquisition of a slum area or a blighted area or portion thereof;

(2) demolition and removal of buildings and improvements;

(3) installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this appendix in accordance with the urban renewal plan;

(4) disposition of any property acquired in the urban renewal area including sale, initial leasing or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan;

(5) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;

(6) acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; and

(7) the preservation, improvement or embellishment of historic structures or monuments.

(f) "Urban Renewal Area" shall mean a slum area or a blighted area or a combination thereof which the municipality designates as appropriate for an urban renewal project.

(g) "Urban Renewal Plan" shall mean a plan, as it exists from time to time, for an urban renewal project, which plan shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum density and building requirements.

(h) "Bonds" shall mean any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures or other obligations.

(i) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other person acting in similar representative capacity.

(j) "Municipality" shall mean the Mayor and City Council of Glenarden.

Section A1–102. Powers.

The municipality is hereby authorized and empowered to carry out urban renewal projects which shall be limited to slum clearance in slum or blighted areas and redevelopment or the rehabilitation of slum or blighted areas; to acquire in connection with such projects, within the corporate limits of the municipality, land and property of every kind and any right, interest, franchise, easement or privilege therein, including land or property and any right or interest therein already devoted to public use, by purchase, lease, gift, condemnation or any other legal means; to sell, lease, convey, transfer or otherwise dispose of any of said land or property, regardless of whether or not it has been developed, redeveloped, altered or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public or quasi public corporation, partnership, association, person or other legal entity. No land or property taken by the municipality for any of the aforementioned purposes or in connection with the exercise of any of the powers which by this appendix are granted to the municipality by exercising the power of eminent domain shall be taken without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation. All land or property needed or taken by the exercise of the power of eminent domain by the municipality for any of the aforementioned purposes or in connection with the exercise of any of the powers granted by this appendix is hereby declared to be needed or taken for public uses and purposes. Any or all of the activities authorized pursuant to this section shall constitute governmental functions undertaken for public uses and purposes and the power of taxation may be exercised, public funds expended and public credit extended in furtherance thereof. The municipality is hereby granted the following additional powers which are hereby found and declared to be necessary and proper to carry into full force and effect the specific powers hereinbefore granted and to fully accomplish the purposes and objects contemplated by the provisions of this section:

(1) to make or have made all surveys and plans necessary to the carrying out of the purposes of this appendix and to adopt or approve, modify and amend such plans, which plans may include but shall not be limited to: (i) plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements, (ii) plans for the enforcement of codes and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and (iii) appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects and related activities; and to apply for, accept and utilize grants of funds from the Federal Government for such purposes;

(2) to prepare plans for the relocation of persons (including families, business concerns and others) displaced from an urban renewal area, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government;

(3) to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this appendix, including the payment or reimbursement of reasonable actual costs incurred as a result of utility relocations when such relocations are made necessary by an urban renewal project, after making appropriate adjustment for any improvements or betterments to the utility's facilities made in connection with the relocation; and to levy taxes and assessments for such purposes; to borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the Federal Government, the State, County or other public bodies, or from any sources, public or private, for the purposes of this appendix, and to give such security as may be required therefor; to invest any urban renewal funds held in reserves or sinking funds or any such funds not required for immediate disbursement, in property or securities which are legal investments for other municipal funds;

(4) to hold, improve, clear or prepare for redevelopment any property acquired in connection with urban renewal projects; to mortgage, pledge, hypothecate or otherwise encumber such property; to insure or provide for the insurance of such property or operations of the municipality against any risks or hazards, including the power to pay premiums on any such insurance;

(5) to make and execute all contracts and other instruments necessary or convenient to the exercise of its powers under this appendix, including the power to enter into agreement with any other public bodies or agencies (which agreements may extend over any period, notwithstanding any provisions or rule of law to the contrary), and to include in any contract for financial assistance with the Federal Government for or with respect to an urban renewal project and related activities such conditions imposed pursuant to Federal laws as the municipality may deem reasonable and appropriate;

(6) to enter into any building or property in any urban renewal area in order to make inspections, surveys, appraisals, soundings or test borings, and to obtain an order for this

purpose from the Circuit Court for the county in which the municipality is situated in the event entry is denied or resisted;

(7) to plan, replan, install, construct, reconstruct, repair, close or vacate streets, roads, sidewalks, public utilities, parks, playgrounds, and other public improvements in connection with an urban renewal project; provided the same shall be approved by the Maryland–National Capital Park and Planning Commission, and to make exceptions from city or town building regulations, but not county unless the same shall be approved by the county building inspector;

(8) to generally organize, coordinate and direct the administration of the provisions of this appendix as they apply to such municipality in order that the objective of remedying slum and blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved; and

(9) to exercise all or any part or combination of powers herein granted.

Section A1–103. Establishment of Urban Renewal Agency.

The municipality may itself exercise all the powers granted by this appendix or may, if its legislative body by ordinance determines such action to be in the public interest, elect to have such powers exercised by a separate public body or agency as hereinafter provided. In the event said legislative body makes such determination, it shall proceed by ordinance to establish a public body or agency to undertake in the municipality the activities authorized by this appendix. Such ordinance shall include provisions establishing the number of members of such public body or agency, the manner of their appointment and removal, the terms of said members and their compensation. The ordinance may include such additional provisions relating to the organization of said public body or agency as may be necessary. In the event the legislative body enacts such an ordinance, all of the powers by this appendix granted to the municipality shall, from the effective date of said ordinance, be vested in the public body or agency thereby established, except:

(1) The power to pass a resolution to initiate an urban renewal project pursuant to Section A1–104 of this appendix.

(2) The power to issue general obligation bonds pursuant to Section A1–109 of this appendix.

(3) The power to appropriate funds, and to levy taxes and assessments pursuant to Section A1–102(3) of this appendix.

Section A1–104. Initiation of Project.

In order to initiate an urban renewal project, legislative body of the municipality shall adopt a resolution which

(1) finds that one or more slum or blighted areas exist in such municipality;

(2) locates and defines the said slum or blighted areas; and

(3) finds that the rehabilitation, redevelopment, or a combination thereof, of such area or areas, is necessary in the interest of the public health, safety, morals or welfare of the residents of such municipality.

Section A1–105. Preparation and Approval of Plan for Urban Renewal Project.

(a) The municipality, in order to carry out the purposes of this appendix, shall prepare or cause to be prepared an urban renewal plan for slum or blighted areas in the municipality, and shall formally approve such plan. Prior to its approval of an urban renewal project, the municipality shall submit such plan to the planning body of the municipality, for review and recommendations as to its conformity with the master plan for the development of the municipality as a whole. The planning body shall submit its written recommendation with respect to the proposed urban renewal plan to the municipality within sixty days after receipt of the plan for review; upon receipt of the recommendations of the planning body or, if no recommendations are received within said sixty days, then without such recommendations, the municipality may proceed with a public hearing on the proposed urban renewal project. The municipality shall hold a public hearing on an urban renewal project after public notice thereof by publication in a newspaper having a general circulation within the corporate limits of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration. Following such hearing, the municipality may approve an urban renewal project and the plan therefor if it finds that: (1) a feasible method exists for the location of any families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan substantially conforms to the master plan of the municipality as a whole; and (3) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

(b) An urban renewal plan may be modified at any time, provided that if modified after the lease or sale of real property in the urban renewal project area, the modification may be conditioned upon such approval of the owner, lessee or successor in interest as the municipality may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert. Where the proposed modification will substantially change the urban renewal plan as previously approved by the municipality, the modification shall be formally approved by the municipality, as in the case of an original plan.

(c) Upon the approval by the municipality of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area and the municipality may then cause such plan or modification to be carried out in accordance with its terms.

Section A1–106. Disposal of Property in Urban Renewal Area.

(a) The municipality may sell, lease or otherwise transfer real property or any interest therein acquired for it by an urban renewal project, for residential, recreational, commercial, industrial, educational or other uses or for public use, or may retain such property or interest for public use, in accordance with the urban renewal plan, subject to such covenants, conditions and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted area or to otherwise carry out the purposes of this appendix. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban renewal plan, and may be obligated to comply with such other requirements as the municipality may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on such real property required by the urban renewal plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in accordance with the urban renewal plan. In determining the fair value of real property for uses in accordance with the urban renewal plan, the municipality shall take into account and give consideration to the uses provided in such plan; the restrictions upon, and the covenants, conditions and obligations assumed by the purchaser or lessee or by the municipality retaining the property; and the objectives of such plan for the prevention of the recurrence of slum or blighted areas. The municipality in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease or otherwise transfer the real property without the prior written consent of the municipality until he has completed the construction of any or all improvements which he has obligated himself to construct thereon. Real property acquired by the municipality which, in accordance with the provisions of the urban renewal plan, is to be transferred, shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban renewal plan. Any contract for such transfer and the urban renewal plan (or such part or parts of such contract or plan as the municipality may determine) may be recorded in the Land Records of the county in which the municipality is situated in such manner as to afford actual or constructive notice thereof.

(b) The municipality may dispose of real property in an urban renewal area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as hereinafter provided in this subsection. The municipality may, by public notice by publication in a newspaper having a general circulation in the community (not less than sixty days prior to the execution of any contract to sell, lease or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section) invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof. Such notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those interested within a specified period of not less than sixty days after the first date of publication of said notice, and that such further information as is available may be obtained at such office as shall be designated in said notice. The municipality shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out, and may negotiate with any persons for proposals for the purchase, lease or other transfer of any real property acquired by the municipality in the urban renewal area. The municipality may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this appendix. Thereafter, the municipality may execute and deliver contracts, deeds, leases and other instruments and take all steps necessary to effectuate such transfers.

(c) The municipality may temporarily operate and maintain real property acquired by it in an urban renewal area for or in connection with an urban renewal project pending the disposition of the property as authorized in this appendix, without regard to the provisions of subsection (a) above, for such uses and purposes as may be deemed desirable even though not in conformity with the urban renewal plan.

(d) Any instrument executed by the municipality and purporting to convey any right, title or interest in any property under this appendix shall be conclusively presumed to have been executed in compliance with the provisions of this appendix insofar as title or other interest of any bona fide purchaser, lessees or transferees of such property is concerned.

(e) In the event that urban renewal plans involve removal of residential housing, provision and plans must be made for their replacement with adequate facilities for the residents so displaced.

Section A1–107. Eminent Domain.

Condemnation of land or property under the provisions of this appendix shall be in accordance with the procedure provided in the Real Property Article of the Annotated Code of Maryland.

Section A1–108. Encouragement of Private Enterprise.

The municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this appendix, shall afford maximum opportunity, consistent with the sound needs of the municipality as a whole, to the rehabilitation or redevelopment of any urban renewal area by private enterprise. The municipality shall give consideration to this objective in exercising its powers under this appendix.

Section A1–109. General Obligation Bonds.

For the purpose of financing and carrying out of an urban renewal project and related activities, the municipality may issue and sell its general obligation bonds. Any bonds issued by the municipality pursuant to this section shall be issued in the manner and within the limitations prescribed by applicable law for the issuance and authorizations of general obligation bonds by such municipality, and also within such limitations as shall be determined by said municipality.

Section A1–110. Revenue Bonds.

(a) In addition to the authority conferred by Section A1–109 of this appendix, the municipality shall have the power to issue revenue bonds to finance the undertaking of any urban renewal project and related activities, and shall also have power to issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality derived from or held in connection with its undertaking and carrying out of urban

renewal projects under this appendix; provided, however, that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the Federal Government or other source, in aid of any urban renewal projects of the municipality under this appendix, and by a mortgage of any such urban renewal projects, or any part thereof, title to which is in the municipality. In addition, the municipality may enter into an Indenture of Trust with any private banking institution of this State having trust powers and may make in such indenture of trust such covenants and commitments as may be required by any purchaser for the adequate security of said bonds.

(b) Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, shall not be subject to the provisions of any other law or charter relating to the authorization, issuance or sale of bonds, and are hereby specifically exempted from the restrictions contained in Sections 9, 10 and 11 of Article 31 of the Annotated Code of Maryland (1957 Edition, as amended). Bonds issued under the provisions of this Article are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

(c) Bonds issued under this section shall be authorized by resolution or ordinance of the legislative body of the municipality and may be issued in one or more series and shall bear such date or dates, shall mature at such time or times, bear interest at such rate or rates, not exceeding six per centum per annum, be in such denomination or denominations, be in such form either with or without coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium or payment, at such place or places, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

(d) Such bonds may be sold at not less than par at public sales held after notice published prior to such sale in a newspaper having a general circulation in the area in which the municipality is located and in such other medium of publication as the municipality may determine or may be exchanged for other bonds on the basis of par; provided, that such bonds may be sold to the Federal Government at private sale at not less than par, and, in the event less than all of the authorized principal amount of such bonds is sold to the Federal Government, the balance may be sold at private sale at not less than par at an interest cost to the municipality of not to exceed the interest cost to the municipality of the portion of the bonds sold to the Federal Government.

(e) In case any of the public officials of the municipality whose signatures appear on any bonds or coupons issued under this appendix shall cease to be such officials before the delivery of such bond or, in the event any such officials shall have become such after the date of issue thereof, said bonds shall nevertheless be valid and binding obligations of said municipality in accordance with their terms. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this appendix shall be fully negotiable.

(f) In any suit, action or proceeding involving the validity or enforceability of any bond issued under this appendix or the security therefor, any such bond reciting in substance that it has

been issued by the municipality in connection with an urban renewal project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the provisions of this appendix.

(g) All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries, may legally invest any sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the municipality pursuant to this appendix, provided that such bonds and other obligations shall be secured by an agreement between the issuer and the Federal Government in which the issuer agrees to borrow from the Federal Government and the Federal Government agrees to lend to the issuer, prior to the maturity of such bonds or other obligations, monies in an amount which (together with any other monies irrevocably committed to the payment of principal and interest on such bonds or other obligations) will suffice to pay the principal of such bonds or other obligations with interest to maturity thereon, which monies under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

Section A1–111. Separability.

If any provision of this appendix, or the application thereof to any person or circumstances, is held invalid, the remainder of the appendix and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby. The powers conferred by this appendix shall be in addition and supplemental to the powers conferred by any other law.

Section A1–112. Review and Approval.

All plans, whether preliminary or final, prepared or presented under the provisions of this appendix by the municipality known as Glenarden shall not conflict with, and must conform to the master plan for Prince George's County. This provision shall be construed to mean that all urban renewal plans effecting a change in zoning shall be reviewed by the Maryland–National Capital Park and Planning Commission, and any zoning amendments pursuant to this urban renewal program must be approved by the District Council.

Section A1–113. Short Title.

This appendix shall be known and may be cited as the Glenarden Urban Renewal Authority for Slum Clearance Act.

Section A1–114. Authority to Amend or Repeal.

This appendix, enacted pursuant to Article III, Section 61 of the Constitution of Maryland, may be amended or repealed only by the General Assembly of Maryland.

NOTES

(1) Pursuant to Article III, Section 61 of the Maryland Constitution, the General Assembly of Maryland granted urban renewal powers for slum clearance to the City of Glenarden in Chapter 776 of the Acts of the General Assembly of 1963.

Starting with the 1997 Supplement to the *Public Local Laws of Maryland – Compilation of Municipal Charters*, the urban renewal powers for slum clearance for the City of Glenarden appear as this appendix in accordance with 80 *Opinions of the Attorney General* _____ (1995) **[**Opinion No. 95–037 (September 21, 1995)**]** and Sections 10 and 11 of Chapter 14 of the Acts of the General Assembly of 1997.

(2) Resolution Number CR–03–2014, effective July 1, 2014, purported to amend section 907 of this Charter. However, no such section was found, therefore the amendment is simply noted here.