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**By: Prince George's County Delegation**

Introduced and read first time: February 1, 1996

Assigned to: Commerce and Government Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 1996

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Prince George's County - Redevelopment Agency~~

3 ~~PG 419-96~~

4 Prince George's County - Redevelopment Authority

5 PG 419-96

6 ~~FOR the purpose of authorizing the County Executive and County Council of Prince~~  
7 ~~George's County to establish a redevelopment agency that has certain powers to~~  
8 ~~acquire land or property for development or redevelopment and to dispose of the~~  
9 ~~land or property under certain circumstances; prohibiting land or property from~~  
10 ~~being taken by exercising the power of eminent domain under the provisions of this~~  
11 ~~Act without just compensation being first paid to the party entitled to the~~  
12 ~~compensation; declaring that all land or property taken under the provisions of this~~  
13 ~~Act are needed or taken for a public use or a public benefit; and generally relating~~  
14 ~~to the authority of the County Executive and County Council of Prince George's~~  
15 ~~County to establish a redevelopment agency to exercise the power of eminent~~  
16 ~~domain for development or redevelopment in the county.~~

17 FOR the purpose of establishing certain declarations and findings; authorizing Prince  
18 George's County to exercise certain powers to acquire land or property for  
19 residential, commercial, or industrial development or redevelopment to develop or  
20 redevelop land or property for residential, commercial, or industrial purposes, and  
21 to dispose of land or property for residential, commercial, or industrial development  
22 or redevelopment under certain circumstances; prohibiting land or property from  
23 being taken by the County by exercise of the power of eminent domain under the  
24 provisions of this Act without just compensation being first paid to the party entitled

1 to compensation; declaring that all land or property taken by the County by exercise  
2 of the power of eminent domain under the provisions of this Act is needed or taken  
3 for public use or a public benefit; authorizing the County Executive and County  
4 Council of Prince George's County to establish the Redevelopment Authority of  
5 Prince George's County; specifying the purposes, legal status, powers, duties, and  
6 requirements applicable to the Authority; providing for the membership, officers,  
7 employees, and agents of the Authority; specifying the powers of the County  
8 concerning the Authority; authorizing the County to delegate certain powers to the  
9 Authority to acquire, including by exercise of the power of eminent domain, land or  
10 property for residential, commercial, or industrial development or redevelopment,  
11 to develop or redevelop land or property for residential, commercial, or industrial  
12 purposes, and to dispose of land or property for residential, commercial, or  
13 industrial development or redevelopment under certain circumstances; prohibiting  
14 land or property from being taken by the Authority by exercise of the power of  
15 eminent domain under the provisions of this Act without just compensation being  
16 first paid to the party entitled to compensation; providing that a decision of the  
17 Authority to take certain property by exercise of the power of eminent domain must  
18 be approved by the County Council after notice to the property owner; declaring  
19 that all land or property taken by the Authority by exercise of the power of eminent  
20 domain under the provisions of this Act are needed or taken for public use or a  
21 public benefit; authorizing the Authority to issue certain bonds and other evidences  
22 of indebtedness and authorizing the County to guarantee these obligations;  
23 requiring that the bonds be approved by the governing body of the County prior to  
24 their issuance; providing that the County's guarantee of the bonds is subject to any  
25 applicable referendum requirements of the County's Charter; requiring the  
26 Authority under certain circumstances to provide certain notice and hold a certain  
27 hearing before issuing certain bonds; providing for certain exemptions from  
28 taxation; providing certain penalties for violations of the regulations of the  
29 Authority; authorizing the County to provide certain land or property, funds, or  
30 advances to the Authority; providing for the disposition of the assets and obligations  
31 of the Authority on termination of the Authority; requiring the Authority to comply  
32 with all applicable zoning and planning requirements; defining certain terms;  
33 making provisions of this Act severable; generally relating to the authority of the  
34 County to exercise certain powers for development or redevelopment; and generally  
35 relating to the establishment of, and the exercise of powers by, the Authority.

36 BY adding to

37 The Public Local Laws of Prince George's County  
38 Section 15B-101 to be under the new subtitle "Subtitle 15B. Redevelopment  
39 Agency"  
40 Article 17—Public Local Laws of Maryland  
41 (1991 Edition and 1994 Supplement, as amended)

42 BY adding to

43 The Public Local Laws of Prince George's County  
44 Section 15B-101 through 15B-115 to be under the new subtitle "Subtitle 15B.  
45 Redevelopment Authority"

3

1 Article 17 - Public Local Laws of Maryland  
2 (1991 Edition and 1994 Supplement, as amended)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article 17 - Prince George's County**

6 ~~SUBTITLE 15B. REDEVELOPMENT AGENCY.~~

7 ~~15B-101.~~

8 ~~(A) IN ADDITION TO POWERS GRANTED UNDER ARTICLE 25A, § 5 OF THE~~  
9 ~~ANNOTATED CODE OF MARYLAND, THE COUNTY EXECUTIVE AND COUNTY~~  
10 ~~COUNCIL OF PRINCE GEORGE'S COUNTY MAY ESTABLISH A REDEVELOPMENT~~  
11 ~~AGENCY THAT HAS THE POWER:~~

12 ~~(1) TO ACQUIRE, WITHIN THE BOUNDARY LINES OF THE COUNTY, LAND~~  
13 ~~AND PROPERTY OF EVERY KIND, AND ANY RIGHT, INTEREST, FRANCHISE,~~  
14 ~~EASEMENT OR PRIVILEGE IN THE PROPERTY, BY PURCHASE, LEASE, GIFT,~~  
15 ~~CONDEMNATION OR ANY OTHER LEGAL MEANS, FOR DEVELOPMENT OR~~  
16 ~~REDEVELOPMENT, INCLUDING, BUT NOT LIMITED TO, THE COMPREHENSIVE~~  
17 ~~RENOVATION OR REHABILITATION OF THE PROPERTY; AND~~

18 ~~(2) TO SELL, LEASE, CONVEY, TRANSFER OR OTHERWISE DISPOSE OF~~  
19 ~~ANY OF THE LAND OR PROPERTY, REGARDLESS OF WHETHER OR NOT IT HAS BEEN~~  
20 ~~DEVELOPED, REDEVELOPED, ALTERED OR IMPROVED AND IRRESPECTIVE OF THE~~  
21 ~~MANNER OR MEANS IN OR BY WHICH IT MAY HAVE BEEN ACQUIRED, TO ANY~~  
22 ~~PRIVATE, PUBLIC OR QUASI PUBLIC CORPORATION, PARTNERSHIP, ASSOCIATION,~~  
23 ~~PERSON OR OTHER LEGAL ENTITY.~~

24 ~~(B) LAND OR PROPERTY TAKEN BY THE COUNTY FOR ANY OF THE PURPOSES~~  
25 ~~SET FORTH IN SUBSECTION (A) OF THIS SECTION OR IN CONNECTION WITH THE~~  
26 ~~EXERCISE OF ANY OF THE POWERS THAT MAY BE GRANTED TO THE COUNTY~~  
27 ~~UNDER THIS SECTION BY EXERCISING THE POWER OF EMINENT DOMAIN, MAY NOT~~  
28 ~~BE TAKEN WITHOUT JUST COMPENSATION, AS AGREED UPON BETWEEN THE~~  
29 ~~PARTIES, OR AWARDED BY A JURY, BEING FIRST PAID OR TENDERED TO THE PARTY~~  
30 ~~ENTITLED TO THAT COMPENSATION.~~

31 ~~(C) ALL LAND OR PROPERTY NEEDED, OR TAKEN BY THE EXERCISE OF THE~~  
32 ~~POWER OF EMINENT DOMAIN, BY THE COUNTY FOR ANY OF THE PURPOSES SET~~  
33 ~~FORTH IN SUBSECTION (A) OF THIS SECTION OR IN CONNECTION WITH THE~~  
34 ~~EXERCISE OF ANY OF THE POWERS THAT MAY BE GRANTED TO THE COUNTY~~  
35 ~~UNDER THIS SECTION IS HEREBY DECLARED TO BE NEEDED OR TAKEN FOR A~~  
36 ~~PUBLIC USE OR A PUBLIC BENEFIT.~~

37 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
38 ~~October 1, 1996.~~

4

1           SUBTITLE 15B. REDEVELOPMENT AUTHORITY.

2 15B-101.

3           IT IS HEREBY DECLARED THAT:

4                   (1) THERE EXIST WITHIN PRINCE GEORGE'S COUNTY A NUMBER OF  
5 AREAS IN NEED OF RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT  
6 OR REDEVELOPMENT IN FURTHERANCE OF THE PUBLIC INTEREST;

7                   (2) SUCH AREAS INCLUDE BOTH AREAS THAT ARE CONSIDERED SLUM  
8 OR BLIGHTED AREAS, AND AREAS THAT ARE NOT SUBJECT TO SUCH  
9 DETERIORATED OR DETERIORATING CONDITIONS, BUT WHICH ARE IN NEED OF  
10 DEVELOPMENT OR REDEVELOPMENT FOR THE PUBLIC BENEFIT;

11                   (3) IN ORDER TO REVITALIZE THESE AREAS OF THE COUNTY IT IS  
12 NECESSARY THAT THE COUNTY BE AUTHORIZED TO ACQUIRE, BY ANY LEGAL  
13 MEANS, INCLUDING BY EXERCISE OF THE POWER OF EMINENT DOMAIN, LAND OR  
14 PROPERTY FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR  
15 REDEVELOPMENT, TO DEVELOP OR REDEVELOP LAND OR PROPERTY FOR  
16 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL PURPOSES, AND TO DISPOSE OF LAND  
17 OR PROPERTY FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT  
18 OR REDEVELOPMENT UNDER CERTAIN CIRCUMSTANCES;

19                   (4) IN ORDER TO REVITALIZE THESE AREAS OF THE COUNTY IT ALSO IS  
20 NECESSARY THAT THE COUNTY HAVE THE POWER TO ESTABLISH A SEPARATE  
21 AUTHORITY WHOSE PURPOSE WILL BE TO FACILITATE LAND OR PROPERTY  
22 ACQUISITION, DEVELOPMENT OR REDEVELOPMENT, AND DISPOSITION FOR  
23 RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PURPOSES IN FURTHERANCE OF  
24 THE PUBLIC INTEREST;

25                   (5) IN ORDER TO ACCOMPLISH THE PURPOSES OF THIS SUBTITLE IT IS  
26 NECESSARY TO AUTHORIZE THE COUNTY TO DELEGATE TO SUCH SEPARATE  
27 AUTHORITY THE AUTHORITY TO ACQUIRE, BY ANY LEGAL MEANS, INCLUDING BY  
28 EXERCISE OF THE POWER OF EMINENT DOMAIN, LAND OR PROPERTY FOR  
29 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT,  
30 TO DEVELOP OR REDEVELOP LAND OR PROPERTY FOR RESIDENTIAL,  
31 COMMERCIAL, OR INDUSTRIAL PURPOSES, AND TO DISPOSE OF LAND OR PROPERTY  
32 FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR  
33 REDEVELOPMENT UNDER CERTAIN CIRCUMSTANCES;

34                   (6) THE REVITALIZATION OF AREAS WITHIN PRINCE GEORGE'S  
35 COUNTY IN NEED OF RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT  
36 OR REDEVELOPMENT IS AN ESSENTIAL GOVERNMENTAL FUNCTION, AND IS A  
37 PUBLIC USE WHICH WILL CONFER A PUBLIC BENEFIT ON THE CITIZENS OF THE  
38 COUNTY BY RELIEVING CONDITIONS OF UNEMPLOYMENT, ENCOURAGING THE  
39 INCREASE OF INDUSTRY AND COMMERCE AND A BALANCED ECONOMY, ASSISTING  
40 IN THE RETENTION OF EXISTING INDUSTRY AND COMMERCE AND IN THE  
41 ATTRACTION OF NEW INDUSTRY AND COMMERCE, PROMOTING ECONOMIC  
42 DEVELOPMENT AND GROWTH, AND GENERALLY PROMOTING THE HEALTH,  
43 WELFARE, AND SAFETY OF THE RESIDENTS OF THE COUNTY;

1           (7) THE EXERCISE BY THE COUNTY OR THE AUTHORITY WHICH THE  
2 COUNTY IS AUTHORIZED TO ESTABLISH OF THE POWER OF EMINENT DOMAIN IN  
3 ACCORDANCE WITH THIS SUBTITLE IN ORDER TO PROVIDE AN IMPETUS WHICH  
4 PRIVATE ENTERPRISE CANNOT PROVIDE IS HEREBY DECLARED TO BE FOR A  
5 PUBLIC USE;

6           (8) THE POWERS GRANTED PURSUANT TO THIS SUBTITLE SHALL BE  
7 REGARDED AS SUPPLEMENTAL AND ADDITIONAL TO POWERS CONFERRED BY  
8 OTHER LAWS, AND MAY NOT BE REGARDED AS IN DEROGATION OF ANY POWERS  
9 NOW EXISTING;

10           (9) THIS SUBTITLE IS NECESSARY FOR THE REVITALIZATION OF PRINCE  
11 GEORGE'S COUNTY AND THE PUBLIC INTEREST OF ITS CITIZENS AND SHALL BE  
12 LIBERALLY CONSTRUED TO EFFECT ITS PURPOSES; AND

13           (10) THE NECESSITY IN THE PUBLIC INTEREST FOR THE PROVISIONS  
14 HEREINAFTER ENACTED IS HEREBY DECLARED AS A MATTER OF LEGISLATIVE  
15 DETERMINATION.

16 15B-102.

17           (A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS  
18 INDICATED.

19           (B) "BOND" OR "BONDS" MEANS REVENUE BONDS OR NOTES, INCLUDING,  
20 WITHOUT LIMITATION, BOND ANTICIPATION NOTES AND NOTES IN THE NATURE OF  
21 COMMERCIAL PAPER, OR OTHER INSTRUMENTS, CERTIFICATES, OR EVIDENCES OF  
22 OBLIGATION ISSUED AND SOLD OR OFFERED FOR SALE BY THE REDEVELOPMENT  
23 AUTHORITY, INCLUDING REFUNDING OBLIGATIONS.

24           (C) "COST" MEANS THE COST OF OR EXPENSE ASSOCIATED WITH:

25           (1) ALL LAND, PROPERTY, RIGHTS, EASEMENTS, FRANCHISES, AND  
26 LICENSES OR INTERESTS THEREIN DEEMED NECESSARY FOR ANY UNDERTAKING  
27 AUTHORIZED BY THIS SUBTITLE;

28           (2) ALL LABOR, MATERIALS, MACHINERY, FURNISHINGS, AND  
29 EQUIPMENT;

30           (3) FINANCING CHARGES;

31           (4) ESTABLISHMENT OF RESERVES;

32           (5) INTEREST PRIOR TO AND DURING CONSTRUCTION AND FOR A  
33 REASONABLE PERIOD AFTER COMPLETION OF CONSTRUCTION;

34           (6) ENGINEERING, ARCHITECTURAL, AND LEGAL SERVICES;

35           (7) PLANS, SPECIFICATIONS, SURVEYS, ESTIMATES OF COSTS AND OF  
36 REVENUES, AND OTHER EXPENSES NECESSARY OR INCIDENT TO DETERMINING THE  
37 FEASIBILITY OR PRACTICALITY OF ANY LAND OR PROPERTY ACQUISITION OR ANY  
38 DEVELOPMENT OR REDEVELOPMENT PROJECT;

39           (8) ADMINISTRATIVE EXPENSES;

1 (9) LETTERS OR LINES OF CREDIT, MUNICIPAL BOND INSURANCE, OR  
2 ANY OTHER FORM OF FINANCIAL GUARANTY OR SURETY;

3 (10) WORKING CAPITAL; AND

4 (11) OTHER EXPENSES AS MAY BE NECESSARY OR INCIDENT TO THE  
5 ACQUISITION OF LAND OR PROPERTY, OR THE DEVELOPMENT OR  
6 REDEVELOPMENT, INCLUDING, BUT NOT LIMITED TO, THE COMPREHENSIVE  
7 RENOVATION OR REHABILITATION, OF LAND OR PROPERTY IN ACCORDANCE WITH  
8 THIS SUBTITLE.

9 (D) "COUNTY" MEANS PRINCE GEORGE'S COUNTY, MARYLAND.

10 (E) "LOCAL LAW" MEANS A LEGISLATIVE ACT OF THE COUNTY.

11 (F) "REDEVELOPMENT AUTHORITY" MEANS THE REDEVELOPMENT  
12 AUTHORITY OF PRINCE GEORGE'S COUNTY AUTHORIZED TO BE ESTABLISHED  
13 PURSUANT TO THIS SUBTITLE.

14 15B-103.

15 (A) IN ADDITION TO POWERS GRANTED UNDER ARTICLE 25A, § 5 OF THE  
16 ANNOTATED CODE OF MARYLAND AND ANY ADDITIONAL POWERS CONFERRED BY  
17 OTHER LAWS, THE COUNTY IS AUTHORIZED, AS SPECIFIED BY LOCAL LAW:

18 (1) TO ACQUIRE, WITHIN THE BOUNDARY LINES OF THE COUNTY, LAND  
19 AND PROPERTY OF EVERY KIND, AND ANY RIGHT, INTEREST, FRANCHISE,  
20 EASEMENT OR PRIVILEGE IN THE PROPERTY, BY PURCHASE, LEASE, GIFT,  
21 CONDEMNATION, OR ANY OTHER LEGAL MEANS, FOR RESIDENTIAL, COMMERCIAL,  
22 OR INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT, INCLUDING, BUT NOT  
23 LIMITED TO, THE COMPREHENSIVE RENOVATION OR REHABILITATION THEREOF;

24 (2) TO DEVELOP OR REDEVELOP, INCLUDING, BUT NOT LIMITED TO,  
25 THE COMPREHENSIVE RENOVATION OR REHABILITATION OF, ANY LAND OR  
26 PROPERTY ACQUIRED BY ANY OF THE METHODS PROVIDED IN SUBSECTION (A) OF  
27 THIS SECTION; AND

28 (3) TO SELL, LEASE, CONVEY, TRANSFER OR OTHERWISE DISPOSE OF  
29 ANY OF THE LAND OR PROPERTY, REGARDLESS OF WHETHER OR NOT IT HAS BEEN  
30 DEVELOPED, REDEVELOPED, ALTERED OR IMPROVED AND IRRESPECTIVE OF THE  
31 MANNER OR MEANS IN OR BY WHICH IT MAY HAVE BEEN ACQUIRED, TO ANY  
32 PRIVATE, PUBLIC OR QUASI-PUBLIC CORPORATION, PARTNERSHIP, ASSOCIATION,  
33 PERSON OR OTHER LEGAL ENTITY FOR RESIDENTIAL, COMMERCIAL, OR  
34 INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT, INCLUDING, BUT NOT LIMITED  
35 TO, THE COMPREHENSIVE RENOVATION OR REHABILITATION THEREOF.

36 (B) LAND OR PROPERTY TAKEN BY THE COUNTY FOR ANY OF THE PURPOSES  
37 SET FORTH IN SUBSECTION (A) OF THIS SECTION OR IN CONNECTION WITH THE  
38 EXERCISE OF ANY OF THE POWERS THAT MAY BE GRANTED TO THE COUNTY  
39 UNDER THIS SECTION OR BY ANY POWERS CONFERRED BY ADDITIONAL LAWS BY  
40 EXERCISING THE POWER OF EMINENT DOMAIN, MAY NOT BE TAKEN WITHOUT JUST  
41 COMPENSATION, AS AGREED UPON BETWEEN THE PARTIES, OR AWARDED BY A

7

1 JURY, BEING FIRST PAID OR TENDERED TO THE PARTY ENTITLED TO THAT  
2 COMPENSATION.

3 (C) ALL LAND OR PROPERTY NEEDED, OR TAKEN BY THE EXERCISE OF THE  
4 POWER OF EMINENT DOMAIN, BY THE COUNTY FOR ANY OF THE PURPOSES SET  
5 FORTH IN SUBSECTION (A) OF THIS SECTION OR IN CONNECTION WITH THE  
6 EXERCISE OF ANY OF THE POWERS THAT MAY BE GRANTED TO THE COUNTY  
7 UNDER THIS SECTION IS HEREBY DECLARED TO BE NEEDED OR TAKEN FOR A  
8 PUBLIC USE OR A PUBLIC BENEFIT.

9 (D) LAND OR PROPERTY OWNED BY A FEDERAL, STATE, OR LOCAL  
10 GOVERNMENT, OR ANY AGENCY THEREOF, MAY NOT BE ACQUIRED BY THE  
11 COUNTY BY EXERCISE OF THE POWER OF EMINENT DOMAIN WITHOUT THE PRIOR  
12 CONSENT OF THE FEDERAL, STATE, OR LOCAL GOVERNMENT OR AGENCY THEREOF  
13 OWNING THE LAND OR PROPERTY.

14 15B-104.

15 (A) THE COUNTY IS AUTHORIZED, BY LOCAL LAW, TO CREATE A BODY  
16 CORPORATE AND POLITIC AND AN INSTRUMENTALITY OF THE COUNTY TO BE  
17 KNOWN AS THE "REDEVELOPMENT AUTHORITY OF PRINCE GEORGE'S COUNTY".

18 (B) THE REDEVELOPMENT AUTHORITY SHALL BE CREATED WHEN THE  
19 COUNTY:

20 (1) PASSES LOCAL LAWS PROVIDING AND CONSTITUTING THE TERMS  
21 OF THE CHARTER FOR THE REDEVELOPMENT AUTHORITY; AND

22 (2) FILES THE CHARTER WITH:

23 (I) THE DEPARTMENT OF ASSESSMENTS AND TAXATION;

24 (II) THE DEPARTMENT OF LEGISLATIVE REFERENCE; AND

25 (III) THE SECRETARY OF STATE.

26 (C) THE COUNTY MAY:

27 (1) AMEND THE REDEVELOPMENT AUTHORITY'S CHARTER THROUGH  
28 LOCAL LAW IF THE AMENDMENTS ARE FILED WITH THE DEPARTMENT OF  
29 ASSESSMENTS AND TAXATION, THE DEPARTMENT OF LEGISLATIVE REFERENCE,  
30 AND THE SECRETARY OF STATE;

31 (2) CHANGE THE STRUCTURE, ORGANIZATION, PROGRAM, POWERS, OR  
32 ACTIVITY OF THE REDEVELOPMENT AUTHORITY UNLESS THE CHANGE WOULD  
33 IMPAIR THE REDEVELOPMENT AUTHORITY'S OBLIGATIONS UNDER A CONTRACT OR  
34 AGREEMENT THE REDEVELOPMENT AUTHORITY ENTERED INTO BEFORE THE  
35 CHANGE; AND

36 (3) TERMINATE THE REDEVELOPMENT AUTHORITY UNLESS THE  
37 TERMINATION WOULD IMPAIR THE REDEVELOPMENT AUTHORITY'S OBLIGATIONS  
38 UNDER A CONTRACT OR AGREEMENT THE REDEVELOPMENT AUTHORITY ENTERED  
39 INTO BEFORE THE TERMINATION.

1 15B-105.

2 (A) THE NUMBER, RESIDENCY REQUIREMENTS, MEANS OF APPOINTMENT  
3 AND REMOVAL, QUALIFICATIONS, AND TERMS OF OFFICE OF THE MEMBERS OF THE  
4 REDEVELOPMENT AUTHORITY SHALL BE AS SPECIFIED BY LOCAL LAW.

5 (B) THE OFFICERS, EMPLOYEES, AND AGENTS OF THE REDEVELOPMENT  
6 AUTHORITY SHALL BE APPOINTED AND REMOVED AS SPECIFIED BY LOCAL LAW.

7 (C) THE EXERCISE OF ALL POWERS, AUTHORITY, RIGHTS, AND OBLIGATIONS  
8 OF THE REDEVELOPMENT AUTHORITY SHALL BE AS SPECIFIED BY LOCAL LAW AND  
9 BY THIS SUBTITLE.

10 (D) AN ACT OF THE REDEVELOPMENT AUTHORITY MAY NOT BE  
11 CHALLENGED ON THE BASIS OF THE ABSENCE OF QUALIFICATIONS OF A MEMBER  
12 OF THE REDEVELOPMENT AUTHORITY IF THE MEMBER:

13 (1) HAS BEEN APPOINTED BY THE APPROPRIATE AUTHORITY  
14 DESIGNATED BY LOCAL LAW; AND

15 (2) HAS TAKEN THE OATH OF OFFICE.

16 15B-106.

17 (A) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, THE COUNTY  
18 IS AUTHORIZED, BY LOCAL LAW, TO DELEGATE TO THE REDEVELOPMENT  
19 AUTHORITY ANY OR ALL OF THE POWERS GRANTED TO THE COUNTY PURSUANT TO  
20 § 15B-103 OF THIS SUBTITLE.

21 (B) LAND OR PROPERTY TAKEN BY THE REDEVELOPMENT AUTHORITY  
22 PURSUANT TO A DELEGATION OF AUTHORITY FROM THE COUNTY BY EXERCISE OF  
23 THE POWER OF EMINENT DOMAIN MAY NOT BE TAKEN WITHOUT JUST  
24 COMPENSATION, AS AGREED UPON BETWEEN THE PARTIES, OR AWARDED BY A  
25 JURY, BEING FIRST PAID OR TENDERED TO THE PARTY ENTITLED TO THAT  
26 COMPENSATION.

27 (C) ALL LAND OR PROPERTY NEEDED, OR TAKEN BY THE EXERCISE OF THE  
28 POWER OF EMINENT DOMAIN, BY THE REDEVELOPMENT AUTHORITY PURSUANT TO  
29 A DELEGATION OF AUTHORITY FROM THE COUNTY IS HEREBY DECLARED TO BE  
30 NEEDED OR TAKEN FOR A PUBLIC USE OR A PUBLIC BENEFIT.

31 (D) LAND OR PROPERTY OWNED BY A FEDERAL, STATE, OR LOCAL  
32 GOVERNMENT, OR ANY AGENCY THEREOF, MAY NOT BE ACQUIRED BY THE  
33 REDEVELOPMENT AUTHORITY BY EXERCISE OF THE POWER OF EMINENT DOMAIN  
34 WITHOUT THE PRIOR CONSENT OF THE FEDERAL, STATE, OR LOCAL GOVERNMENT  
35 OR AGENCY THEREOF OWNING THE LAND OR PROPERTY.

36 (E) NOTWITHSTANDING THE DELEGATION OF THE POWER OF EMINENT  
37 DOMAIN BY THE COUNTY TO THE REDEVELOPMENT AUTHORITY, A DECISION OF  
38 THE REDEVELOPMENT AUTHORITY TO TAKE OWNER-OCCUPIED RESIDENTIAL  
39 REAL PROPERTY MUST HAVE THE PRIOR APPROVAL OF THE COUNTY COUNCIL  
40 AFTER NOTICE TO THE PROPERTY OWNER.

1 15B-107.

2 (A) FOR THE PUBLIC PURPOSES SET FORTH IN § 15B-103 OF THIS SUBTITLE,  
3 AND SUBJECT TO LOCAL LAW AND THE PROVISIONS OF THIS SUBTITLE, THE  
4 REDEVELOPMENT AUTHORITY MAY:

5 (1) ACQUIRE, PURCHASE, OR OTHERWISE OBTAIN, HOLD, AND USE ANY  
6 PROPERTY, REAL, PERSONAL, OR MIXED, TANGIBLE OR INTANGIBLE, OR ANY  
7 INTEREST THEREIN;

8 (2) LEASE AS LESSEE ANY PROPERTY, REAL, PERSONAL, OR MIXED,  
9 TANGIBLE OR INTANGIBLE, OR ANY INTEREST THEREIN;

10 (3) LEASE AS LESSOR ANY PROPERTY, REAL, PERSONAL, OR MIXED,  
11 TANGIBLE OR INTANGIBLE, OR ANY INTEREST THEREIN, AT ANY TIME ACQUIRED  
12 BY THE REDEVELOPMENT AUTHORITY;

13 (4) MORTGAGE OR OTHERWISE PLEDGE OR ENCUMBER ANY  
14 PROPERTY, REAL, PERSONAL, OR MIXED, TANGIBLE OR INTANGIBLE, OR ANY  
15 INTEREST THEREIN, OF THE REDEVELOPMENT AUTHORITY; AND

16 (5) SELL, TRANSFER, OR CONVEY ANY PROPERTY, REAL, PERSONAL, OR  
17 MIXED, TANGIBLE OR INTANGIBLE, OR ANY INTEREST THEREIN, ACQUIRED BY THE  
18 REDEVELOPMENT AUTHORITY AT ANY TIME.

19 (B) THE REDEVELOPMENT AUTHORITY MAY ACCEPT GRANTS FROM, MAKE  
20 LOANS TO, AND ENTER INTO CONTRACTS WITH ANY FEDERAL, STATE, OR LOCAL  
21 AGENCY, OR ANY PRIVATE ENTITY OR PARTY.

22 (C) THE REDEVELOPMENT AUTHORITY MAY ESTABLISH, IMPOSE, AND  
23 COLLECT TOLLS, RATES, RENTALS, FEES, AND CHARGES RELATING TO ITS  
24 UNDERTAKINGS AND PROPERTY.

25 (D) THE BUDGETARY AND FINANCIAL PROCEDURES OF THE  
26 REDEVELOPMENT AUTHORITY SHALL BE SET BY LOCAL LAW.

27 (E) NO PROVISIONS OF THE CHARTER OF THE COUNTY OR OTHER COUNTY  
28 LAW REGARDING THE DUTIES, POWERS, OR ORGANIZATION OF THE  
29 REDEVELOPMENT AUTHORITY APPLY TO THE REDEVELOPMENT AUTHORITY,  
30 UNLESS THE COUNTY EXPRESSLY PROVIDES BY LOCAL LAW THAT THE CHARTER  
31 PROVISION OR OTHER COUNTY LAW APPLIES TO THE REDEVELOPMENT  
32 AUTHORITY.

33 (F) SUBJECT TO PUBLIC GENERAL LAW AND LOCAL LAW, THE  
34 REDEVELOPMENT AUTHORITY HAS ALL OTHER POWERS NECESSARY OR  
35 CONVENIENT TO CARRY OUT THE PURPOSES OF THE REDEVELOPMENT  
36 AUTHORITY.

37 15B-108.

38 THE REDEVELOPMENT AUTHORITY MAY NOT BE DEEMED A MUNICIPAL  
39 CORPORATION AS DEFINED IN ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND.

10

1 15B-109.

2 (A) THE REDEVELOPMENT AUTHORITY MAY MAKE RULES AND  
3 REGULATIONS FOR THE OPERATION AND USE OF LAND, PROPERTY, AND  
4 UNDERTAKINGS UNDER ITS JURISDICTION IN THE MANNER PROVIDED BY LOCAL  
5 LAW.

6 (B) ANY VIOLATION OF THE RULES AND REGULATIONS DULY ADOPTED BY  
7 THE REDEVELOPMENT AUTHORITY IS A MISDEMEANOR AND IS PUNISHABLE BY A  
8 FINE NOT TO EXCEED \$1,000 OR IMPRISONMENT FOR NOT MORE THAN 180 DAYS OR  
9 BOTH.

10 15B-110.

11 (A) IN ORDER TO FINANCE OR REFINANCE, IN WHOLE OR IN PART, THE COST  
12 OF THE ACQUISITION AND/OR DEVELOPMENT OR REDEVELOPMENT, INCLUDING  
13 THE COMPREHENSIVE RENOVATION OR REHABILITATION, OF LAND OR PROPERTY  
14 FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL PURPOSES AND RELATED  
15 ACTIVITIES IN ACCORDANCE WITH THIS SUBTITLE, THE REDEVELOPMENT  
16 AUTHORITY MAY ISSUE BONDS.

17 (B) (1) THE BONDS:

18 (I) SHALL NOT CONSTITUTE A DEBT OF THE COUNTY OR A  
19 PLEDGE OF THE FAITH AND CREDIT OF THE COUNTY, OF THE STATE, OR OF ANY  
20 POLITICAL SUBDIVISION OF THE STATE;

21 (II) SHALL NOT BE CONSIDERED OBLIGATIONS OF THE COUNTY  
22 FOR PURPOSES OF ANY DEBT LIMITATION IMPOSED ON THE COUNTY UNDER ANY  
23 CONSTITUTIONAL, STATUTORY, OR CHARTER PROVISION; AND

24 (III) SHALL BE APPROVED BY THE GOVERNING BODY OF THE  
25 COUNTY PRIOR TO THEIR ISSUANCE.

26 (2) THE BONDS, THE BORROWING WHICH THEY REPRESENT, AND THE  
27 UNDERTAKING WHICH IS BEING FINANCED OR REFINANCED, ARE NOT SUBJECT TO  
28 ANY REFERENDUM REQUIREMENTS OF THE CHARTER OF THE COUNTY.

29 (C) (1) BONDS MAY BE MADE PAYABLE AS TO PRINCIPAL, INTEREST, AND  
30 REDEMPTION PREMIUM AS DETERMINED IN ACCORDANCE WITH LOCAL LAW,  
31 INCLUDING FROM INCOME, RECEIPTS, PROCEEDS, REVENUES, AND FUNDS OF THE  
32 REDEVELOPMENT AUTHORITY DERIVED FROM OR AVAILABLE OR TO BE  
33 AVAILABLE IN CONNECTION WITH ANY UNDERTAKING FOR THE ACCOMPLISHMENT  
34 OF THE PURPOSES AND OBJECTIVES MENTIONED IN OR CONTEMPLATED BY THIS  
35 SUBTITLE, INCLUDING:

36 (I) THE PROCEEDS OF LOANS, GRANTS OR CONTRIBUTIONS FROM  
37 THE UNITED STATES OF AMERICA, OR THE STATE OF MARYLAND, OR ANY  
38 DEPARTMENT OR AGENCY THEREOF, OR FROM ANY FUNDS OF THE COUNTY THAT  
39 MAY BE LAWFULLY AVAILABLE THEREFOR, OR ANY OTHER SOURCE, AND  
40 COMPENSATION PAID FROM APPROPRIATED FUNDS BY THE COUNTY FOR LAND OR  
41 PROPERTY RETAINED BY IT; OR

1 (II) ANY CONTRACT OR AGREEMENT OR RIGHTS THEREUNDER  
2 BETWEEN THE UNITED STATES OF AMERICA, OR THE STATE OF MARYLAND, OR ANY  
3 DEPARTMENT OR AGENCY THEREOF, OR ANY OTHER PUBLIC OR PRIVATE ENTITY  
4 OR INDIVIDUAL, AND THE REDEVELOPMENT AUTHORITY WITH RESPECT TO ANY  
5 UNDERTAKINGS FOR THE ACCOMPLISHMENT OF THE PURPOSES AND OBJECTIVES  
6 MENTIONED IN OR CONTEMPLATED BY THE PROVISIONS OF THIS SUBTITLE.

7 (2) PAYMENT OF THE BONDS, AS TO PRINCIPAL, INTEREST, AND  
8 REDEMPTION PREMIUM, MAY BE FURTHER SECURED BY A MORTGAGE OF ALL OR  
9 ANY PART OF LAND, PROPERTY, OR DEVELOPMENT OR REDEVELOPMENT  
10 PROJECTS, TITLE TO WHICH IS IN THE REDEVELOPMENT AUTHORITY OR ANY  
11 OTHER PUBLIC OR PRIVATE ENTITY OR INDIVIDUAL, AS DETERMINED IN  
12 ACCORDANCE WITH LOCAL LAW.

13 (D) BY RESOLUTION, THE REDEVELOPMENT AUTHORITY MAY DETERMINE  
14 ALL MATTERS WITH RESPECT TO THE ISSUANCE, SALE, DELIVERY, AND PAYMENT  
15 OF AND FOR THE BONDS, INCLUDING, WITHOUT LIMITATION, THE ISSUE DATE OR  
16 DATES, MATURITY OR MATURITIES, INTEREST RATE OR RATES OR MANNER OF  
17 DETERMINING THE SAME, TERMS, FORM OR FORMS, DENOMINATION OR  
18 DENOMINATIONS, MANNER OF EXECUTION, PLACE OR PLACES OF PAYMENT,  
19 SOURCE OR SOURCES OF PAYMENT, REDEMPTION, REFUNDING, SALE PRICE,  
20 MANNER OF SALE, SECURITY, AND THE FORMS OF ANY NECESSARY OR  
21 APPROPRIATE DOCUMENTS, INCLUDING, WITHOUT LIMITATION, TRUST  
22 INDENTURES, ESCROW AGREEMENTS, AND MORTGAGES.

23 (E) (1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B) OF THIS  
24 SECTION, AND TO THE EXTENT NOT INCONSISTENT WITH ANY CONSTITUTIONAL OR  
25 CHARTER PROVISION OR PUBLIC GENERAL LAW, ANY ISSUE OF BONDS MAY BE  
26 GUARANTEED, IN WHOLE OR IN PART, AS TO PAYMENT OF PRINCIPAL, INTEREST, OR  
27 REDEMPTION PREMIUM, BY AND UPON THE FULL FAITH AND CREDIT OF THE  
28 COUNTY.

29 (2) THE GUARANTEE OF THE COUNTY BY AND UPON THE FULL FAITH  
30 AND CREDIT OF THE COUNTY CONCERNING THE PAYMENT OF THE PRINCIPAL OF,  
31 OR INTEREST OR REDEMPTION PREMIUM ON, ANY BONDS IS SUBJECT TO ANY  
32 APPLICABLE REFERENDUM REQUIREMENTS OF THE CHARTER OF THE COUNTY.

33 (F) THE BONDS, THE TRANSFER OF THE BONDS, THE INTEREST PAYABLE ON  
34 THE BONDS, AND ANY INCOME DERIVED FROM THE BONDS, INCLUDING ANY PROFIT  
35 REALIZED IN THE SALE OR EXCHANGE OF THE BONDS, SHALL BE EXEMPT AT ALL  
36 TIMES FROM TAXATION BY THE STATE OR BY ANY OF ITS COUNTIES, MUNICIPAL  
37 CORPORATIONS, OR PUBLIC AGENCIES OF ANY KIND.

38 (G) THE BONDS ARE EXEMPT FROM THE PROVISIONS OF ARTICLE 31, §§ 9  
39 THROUGH 11 OF THE ANNOTATED CODE OF MARYLAND, AS REPLACED,  
40 SUPPLEMENTED, OR AMENDED.

41 (H) (1) A PLEDGE BY THE REDEVELOPMENT AUTHORITY OF REVENUES AS  
42 SECURITY FOR AN ISSUE OF BONDS SHALL BE VALID AND BINDING FROM THE TIME  
43 THE PLEDGE IS MADE.

12

1 (2) REVENUES PLEDGED BY THE REDEVELOPMENT AUTHORITY ARE  
2 SUBJECT IMMEDIATELY TO THE LIEN OF THE PLEDGE WITHOUT ANY PHYSICAL  
3 DELIVERY OR FURTHER ACT.

4 (3) THE LIEN OF ANY PLEDGE IS VALID AND BINDING AGAINST ANY  
5 PERSON HAVING ANY CLAIM OF ANY KIND IN TORT, CONTRACT, OR OTHERWISE  
6 AGAINST THE REDEVELOPMENT AUTHORITY, WHETHER OR NOT THE PERSON HAS  
7 NOTICE OF THE LIEN.

8 (4) NOTWITHSTANDING ANY PROVISION OF PUBLIC GENERAL OR  
9 PUBLIC LOCAL LAW, PERFECTION AGAINST THIRD PARTIES OF A LIEN OF A PLEDGE  
10 BY THE REDEVELOPMENT AUTHORITY OF ITS REVENUES DOES NOT REQUIRE THE  
11 FILING OR RECORDING OF A RESOLUTION, TRUST AGREEMENT, FINANCING  
12 STATEMENT, CONTINUATION OR OTHER STATEMENT OR INSTRUMENT ADOPTED OR  
13 ENTERED INTO BY THE REDEVELOPMENT AUTHORITY IN ANY PUBLIC RECORD  
14 OTHER THAN THE RECORDS OF THE REDEVELOPMENT AUTHORITY.

15 (I) (1) UNLESS THE BONDS ARE GUARANTEED BY AND UPON THE FULL  
16 FAITH AND CREDIT OF THE COUNTY AND ARE APPROVED IN A REFERENDUM BY  
17 THE VOTERS OF THE COUNTY IN ACCORDANCE WITH SUBSECTION (E) OF THIS  
18 SECTION, THE REDEVELOPMENT AUTHORITY MAY NOT ISSUE BONDS UNDER THIS  
19 SECTION UNTIL AFTER THE REDEVELOPMENT AUTHORITY HAS HELD A PUBLIC  
20 HEARING IN THE COUNTY ON THE PROPOSED BONDS.

21 (2) THE REDEVELOPMENT AUTHORITY SHALL NOTIFY THE PRINCE  
22 GEORGE'S COUNTY DELEGATIONS OF THE MARYLAND HOUSE OF DELEGATES AND  
23 THE SENATE OF MARYLAND OF A PROPOSED ISSUANCE OF BONDS AT LEAST 2  
24 WEEKS BEFORE HOLDING THE PUBLIC HEARING REQUIRED UNDER THIS  
25 SUBSECTION.

26 15B-111.

27 AS SPECIFIED BY LOCAL LAW, AND TO THE EXTENT NOT INCONSISTENT WITH  
28 ANY CONSTITUTIONAL OR CHARTER PROVISION OR ANY PUBLIC GENERAL OR  
29 PUBLIC LOCAL LAW, THE COUNTY MAY:

30 (1) ASSIGN, PLEDGE, GRANT, CONTRIBUTE, OR PROVIDE TO THE  
31 REDEVELOPMENT AUTHORITY ANY TAXES, RATES, RENTALS, FEES, CHARGES OR  
32 OTHER FUNDS HELD OR RECEIVABLE BY THE COUNTY FOR ANY PURPOSE, AND  
33 ASSIGN, PLEDGE, LEASE, OR OTHERWISE CONVEY TO THE REDEVELOPMENT  
34 AUTHORITY, OR ENCUMBER, ANY LAND OR PROPERTY OWNED OR OTHERWISE  
35 HELD BY THE COUNTY, INCLUDING AS ADDITIONAL SECURITY FOR ANY BONDS OF  
36 THE REDEVELOPMENT AUTHORITY; AND

37 (2) (I) ADVANCE AMOUNTS TO THE REDEVELOPMENT AUTHORITY  
38 FOR ANY PURPOSE, INCLUDING PAYMENT OF PRELIMINARY EXPENDITURES  
39 RELATING TO ANY UNDERTAKINGS OF THE REDEVELOPMENT AUTHORITY OR FOR  
40 DEFICIENCIES IN DEBT SERVICE REQUIREMENTS; AND

41 (II) PROVIDE FOR THE REPAYMENT OR FORGIVENESS OF THE  
42 ADVANCES.

13

1 15B-112.

2 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE AND TO THE  
3 EXTENT NOT INCONSISTENT WITH ANY CONSTITUTIONAL OR CHARTER PROVISION  
4 OR ANY PUBLIC GENERAL OR PUBLIC LOCAL LAW, THE REDEVELOPMENT  
5 AUTHORITY, AS PROVIDED BY LOCAL LAW, MAY:

6 (1) RECEIVE AND APPLY TO ITS CORPORATE PURPOSES AND  
7 UNDERTAKINGS ANY GRANTS, CONTRIBUTIONS, PLEDGES, LOANS, OR OTHER  
8 AMOUNTS FROM THE STATE, THE COUNTY, THE FEDERAL GOVERNMENT, ANY  
9 OTHER GOVERNMENTAL UNIT, OR ANY PUBLIC OR PRIVATE ENTITY OR PARTY; AND

10 (2) TO THE EXTENT NOT INCONSISTENT WITH ANY CONTRACT,  
11 INSTRUMENT, OR LAW RELATING TO A GRANT, CONTRIBUTION, PLEDGE, LOAN, OR  
12 OTHER AMOUNT, PLEDGE THE RECEIPTS AS SECURITY FOR ANY OF ITS BONDS.

13 15B-113.

14 (A) THE PROPERTY OWNED OR HELD BY, AND THE REVENUES OF, THE  
15 REDEVELOPMENT AUTHORITY ARE EXEMPT FROM TAXATION OF EVERY KIND BY  
16 THE STATE OR BY ANY OF ITS POLITICAL SUBDIVISIONS, MUNICIPAL  
17 CORPORATIONS, OR PUBLIC UNITS.

18 (B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS  
19 SECTION, ON THE REQUEST OF THE REDEVELOPMENT AUTHORITY THE COUNTY, BY  
20 LOCAL LAW, MAY PROVIDE FOR A NEGOTIATED PAYMENT IN LIEU OF TAXES FOR  
21 PROPERTY OWNED OR HELD BY THE REDEVELOPMENT AUTHORITY.

22 15B-114.

23 (A) THE NET EARNINGS OF THE REDEVELOPMENT AUTHORITY, APART FROM  
24 THOSE NECESSARY TO PAY DEBT SERVICE OR TO IMPLEMENT THE PURPOSES OF  
25 THIS SUBTITLE, MAY NOT INURE TO THE BENEFIT OF ANY PERSON OTHER THAN  
26 THE COUNTY.

27 (B) ON TERMINATION OF THE REDEVELOPMENT AUTHORITY, ALL RIGHTS  
28 AND TITLE TO ALL ASSETS OF THE REDEVELOPMENT AUTHORITY SHALL VEST IN,  
29 AND ALL OBLIGATIONS AND LIABILITIES OF THE REDEVELOPMENT AUTHORITY  
30 MAY BE TRANSFERRED TO AND ASSUMED BY, THE COUNTY.

31 15B-115.

32 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, THE  
33 REDEVELOPMENT AUTHORITY SHALL COMPLY WITH ALL APPLICABLE ZONING AND  
34 PLANNING REQUIREMENTS.

35 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act  
36 or the application thereof to any person or circumstance is held invalid for any reason in  
37 a court of competent jurisdiction, the invalidity does not affect other provisions or any  
38 other application of this Act which can be given effect without the invalid provision or  
39 application, and for this purpose the provisions of this Act are declared severable.

1            SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1996.