
By: **Prince George's County Delegation**
Introduced and read first time: February 5, 1999
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 9, 1999

CHAPTER _____

1 AN ACT concerning

2 **City of District Heights (Prince George's County) - Urban Renewal**
3 **Authority for Slum Clearance**
4 **PG 421-99**

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16 amended or repealed only by the General Assembly of Maryland; defining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

19 BY adding to
20 Chapter 43 - Charter of the City of District Heights
21 Section A1-101 through A1-114, inclusive, to be under the new heading
22 "Appendix I - Urban Renewal Authority for Slum Clearance"
23 Public Local Laws of Maryland - Compilation of Municipal Charters
24 (1990 Replacement Edition and 1998 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Public Local Laws of Maryland - Compilation of Municipal
3 Charters read as follows:

4 **Chapter 43 - Charter of the City of District Heights**

5 APPENDIX I - URBAN RENEWAL AUTHORITY FOR SLUM CLEARANCE

6 A1-101. DEFINITIONS.

7 (A) IN THIS APPENDIX THE FOLLOWING WORDS HAVE THE MEANINGS
8 INDICATED.

9 (B) "BLIGHTED AREA" MEANS AN AREA IN WHICH A MAJORITY OF BUILDINGS
10 HAVE DECLINED IN PRODUCTIVITY BY REASON OF OBSOLESCENCE, DEPRECIATION,
11 OR OTHER CAUSES TO AN EXTENT THAT THEY NO LONGER JUSTIFY FUNDAMENTAL
12 REPAIRS AND ADEQUATE MAINTENANCE.

13 (C) "BONDS" MEANS ANY BONDS (INCLUDING REFUNDING BONDS), NOTES,
14 INTERIM CERTIFICATES, CERTIFICATES OF INDEBTEDNESS, DEBENTURES, OR
15 OTHER OBLIGATIONS.

16 (D) "FEDERAL GOVERNMENT" MEANS THE UNITED STATES OF AMERICA OR
17 ANY AGENCY OR INSTRUMENTALITY, CORPORATE OR OTHERWISE, OF THE UNITED
18 STATES OF AMERICA.

19 (E) "MUNICIPALITY" MEANS THE CITY OF DISTRICT HEIGHTS, MARYLAND.

20 (F) "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, CORPORATION,
21 COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY POLITIC. IT
22 INCLUDES ANY TRUSTEE, RECEIVER, ASSIGNEE, OR OTHER PERSON ACTING IN
23 SIMILAR REPRESENTATIVE CAPACITY.

24 (G) "SLUM AREA" MEANS ANY AREA WHERE DWELLINGS PREDOMINATE THAT,
25 BY REASON OF DEPRECIATION, OVERCROWDING, FAULTY ARRANGEMENT OR
26 DESIGN, LACK OF VENTILATION, LIGHT, OR SANITARY FACILITIES, OR ANY
27 COMBINATION OF THESE FACTORS, ARE DETRIMENTAL TO THE PUBLIC SAFETY,
28 HEALTH, OR MORALS.

29 (H) "URBAN RENEWAL AREA" MEANS A SLUM AREA OR A BLIGHTED AREA OR A
30 COMBINATION OF THEM THAT THE MUNICIPALITY DESIGNATES AS APPROPRIATE
31 FOR AN URBAN RENEWAL PROJECT.

32 (I) "URBAN RENEWAL PLAN" MEANS A PLAN, AS IT EXISTS FROM TIME TO
33 TIME, FOR AN URBAN RENEWAL PROJECT. THE PLAN SHALL BE SUFFICIENTLY
34 COMPLETE TO INDICATE WHATEVER LAND ACQUISITION, DEMOLITION, AND
35 REMOVAL OF STRUCTURES, REDEVELOPMENT, IMPROVEMENTS, AND
36 REHABILITATION AS MAY BE PROPOSED TO BE CARRIED OUT IN THE URBAN
37 RENEWAL AREA, ZONING AND PLANNING CHANGES, IF ANY, LAND USES, MAXIMUM
38 DENSITY, AND BUILDING REQUIREMENTS.

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

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

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

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

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

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

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

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

30 A1-102. POWERS.

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

33 (B) THESE PROJECTS SHALL BE LIMITED TO:

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

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

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

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

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

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

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

25 A1-103. ADDITIONAL POWERS.

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

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

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

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

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

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

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

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

23 (II) LEVYING TAXES AND ASSESSMENTS FOR THOSE PURPOSES;

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

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

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

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

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

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

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

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

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

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

27 A1-104. ESTABLISHMENT OF URBAN RENEWAL AGENCY.

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

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

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

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

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

8 A1-105. POWERS WITHHELD FROM THE AGENCY.

9 THE AGENCY MAY NOT:

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

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

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

16 A1-106. INITIATION OF PROJECT.

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

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

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

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

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

27 (A) IN ORDER TO CARRY OUT THE PURPOSES OF THIS APPENDIX, THE
28 MUNICIPALITY SHALL HAVE PREPARED AN URBAN RENEWAL PLAN FOR SLUM OR
29 BLIGHTED AREAS IN THE MUNICIPALITY, AND SHALL APPROVE THE PLAN FORMALLY.
30 PRIOR TO ITS APPROVAL OF AN URBAN RENEWAL PROJECT, THE MUNICIPALITY
31 SHALL SUBMIT THE PLAN TO THE PLANNING BODY OF THE MUNICIPALITY FOR
32 REVIEW AND RECOMMENDATIONS AS TO ITS CONFORMITY WITH THE MASTER PLAN
33 FOR THE DEVELOPMENT OF THE MUNICIPALITY AS A WHOLE. THE PLANNING BODY
34 SHALL SUBMIT ITS WRITTEN RECOMMENDATION WITH RESPECT TO THE PROPOSED
35 URBAN RENEWAL PLAN TO THE MUNICIPALITY WITHIN 60 DAYS AFTER RECEIPT OF
36 THE PLAN FOR REVIEW. UPON RECEIPT OF THE RECOMMENDATIONS OF THE
37 PLANNING BODY OR, IF NO RECOMMENDATIONS ARE RECEIVED WITHIN THE 60

1 DAYS, THEN WITHOUT THE RECOMMENDATIONS, THE MUNICIPALITY MAY PROCEED
2 WITH A PUBLIC HEARING ON THE PROPOSED URBAN RENEWAL PROJECT. THE
3 MUNICIPALITY SHALL HOLD A PUBLIC HEARING ON AN URBAN RENEWAL PROJECT
4 AFTER PUBLIC NOTICE OF IT BY PUBLICATION IN A NEWSPAPER HAVING A GENERAL
5 CIRCULATION WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY. THE NOTICE
6 SHALL DESCRIBE THE TIME, DATE, PLACE, AND PURPOSE OF THE HEARING, SHALL
7 GENERALLY IDENTIFY THE URBAN RENEWAL AREA COVERED BY THE PLAN, AND
8 SHALL OUTLINE THE GENERAL SCOPE OF THE URBAN RENEWAL PROJECT UNDER
9 CONSIDERATION. FOLLOWING THE HEARING, THE MUNICIPALITY MAY APPROVE AN
10 URBAN RENEWAL PROJECT AND THE PLAN THEREFOR IF IT FINDS THAT:

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

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

17 (3) THE URBAN RENEWAL PLAN WILL AFFORD MAXIMUM OPPORTUNITY,
18 CONSISTENT WITH THE SOUND NEEDS OF THE MUNICIPALITY AS A WHOLE, FOR THE
19 REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL AREA BY PRIVATE
20 ENTERPRISE.

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

32 (C) UPON THE APPROVAL BY THE MUNICIPALITY OF AN URBAN RENEWAL
33 PLAN OR OF ANY MODIFICATION OF IT, THE PLAN OR MODIFICATION SHALL BE
34 CONSIDERED TO BE IN FULL FORCE AND EFFECT FOR THE RESPECTIVE URBAN
35 RENEWAL AREA. THE MUNICIPALITY MAY HAVE THE PLAN OR MODIFICATION
36 CARRIED OUT IN ACCORDANCE WITH ITS TERMS.

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

38 (A) THE MUNICIPALITY MAY SELL, LEASE, OR OTHERWISE TRANSFER REAL
39 PROPERTY OR ANY INTEREST IN IT ACQUIRED BY IT FOR AN URBAN RENEWAL
40 PROJECT TO ANY PERSON FOR RESIDENTIAL, RECREATIONAL, COMMERCIAL,
41 INDUSTRIAL, EDUCATIONAL, OR OTHER USES OR FOR PUBLIC USE, OR IT MAY RETAIN
42 THE PROPERTY OR INTEREST FOR PUBLIC USE, IN ACCORDANCE WITH THE URBAN

1 RENEWAL PLAN AND SUBJECT TO WHATEVER COVENANTS, CONDITIONS, AND
2 RESTRICTIONS, INCLUDING COVENANTS RUNNING WITH THE LAND, AS IT
3 CONSIDERS NECESSARY OR DESIRABLE TO ASSIST IN PREVENTING THE
4 DEVELOPMENT OR SPREAD OF FUTURE SLUMS OR BLIGHTED AREAS OR TO
5 OTHERWISE CARRY OUT THE PURPOSES OF THIS APPENDIX. THE PURCHASERS OR
6 LESSEES AND THEIR SUCCESSORS AND ASSIGNS SHALL BE OBLIGATED TO DEVOTE
7 THE REAL PROPERTY ONLY TO THE USES SPECIFIED IN THE URBAN RENEWAL PLAN,
8 AND MAY BE OBLIGATED TO COMPLY WITH WHATEVER OTHER REQUIREMENTS THE
9 MUNICIPALITY DETERMINES TO BE IN THE PUBLIC INTEREST, INCLUDING THE
10 OBLIGATION TO BEGIN WITHIN A REASONABLE TIME ANY IMPROVEMENTS ON THE
11 REAL PROPERTY REQUIRED BY THE URBAN RENEWAL PLAN. THE REAL PROPERTY OR
12 INTEREST MAY NOT BE SOLD, LEASED, OTHERWISE TRANSFERRED, OR RETAINED AT
13 LESS THAN ITS FAIR VALUE FOR USES IN ACCORDANCE WITH THE URBAN RENEWAL
14 PLAN. IN DETERMINING THE FAIR VALUE OF REAL PROPERTY FOR USES IN
15 ACCORDANCE WITH THE URBAN RENEWAL PLAN, THE MUNICIPALITY SHALL TAKE
16 INTO ACCOUNT AND GIVE CONSIDERATION TO THE USES PROVIDED IN THE PLAN,
17 THE RESTRICTIONS UPON, AND THE COVENANTS, CONDITIONS, AND OBLIGATIONS
18 ASSUMED BY THE PURCHASER OR LESSEE OR BY THE MUNICIPALITY RETAINING
19 THE PROPERTY, AND THE OBJECTIVES OF THE PLAN FOR THE PREVENTION OF THE
20 RECURRENCE OF SLUM OR BLIGHTED AREAS. IN ANY INSTRUMENT OR CONVEYANCE
21 TO A PRIVATE PURCHASER OR LESSEE, THE MUNICIPALITY MAY PROVIDE THAT THE
22 PRIVATE PURCHASER OR LESSEE MAY NOT SELL, LEASE, OR OTHERWISE TRANSFER
23 THE REAL PROPERTY WITHOUT THE PRIOR WRITTEN CONSENT OF THE
24 MUNICIPALITY UNTIL THE PRIVATE PURCHASER OR LESSEE HAS COMPLETED THE
25 CONSTRUCTION OF ANY OR ALL IMPROVEMENTS THAT THE PRIVATE PURCHASER OR
26 LESSEE IS OBLIGATED TO CONSTRUCT ON THE PROPERTY. IN ACCORDANCE WITH
27 THE PROVISIONS OF THE URBAN RENEWAL PLAN, REAL PROPERTY ACQUIRED BY
28 THE MUNICIPALITY THAT IS TO BE TRANSFERRED SHALL BE TRANSFERRED AS
29 RAPIDLY AS FEASIBLE IN THE PUBLIC INTEREST. ANY CONTRACT FOR THE
30 TRANSFER AND THE URBAN RENEWAL PLAN (OR WHATEVER PART OR PARTS OF THE
31 CONTRACT OR PLAN AS THE MUNICIPALITY DETERMINES) MAY BE RECORDED IN THE
32 LAND RECORDS OF THE COUNTY IN WHICH THE MUNICIPALITY IS SITUATED IN A
33 MANNER SO AS TO AFFORD ACTUAL OR CONSTRUCTIVE NOTICE OF IT.

34 (B) THE MUNICIPALITY MAY OPERATE TEMPORARILY AND MAINTAIN REAL
35 PROPERTY ACQUIRED BY IT IN AN URBAN RENEWAL AREA FOR OR IN CONNECTION
36 WITH AN URBAN RENEWAL PROJECT PENDING THE DISPOSITION OF THE PROPERTY
37 AS AUTHORIZED IN THIS APPENDIX, WITHOUT REGARD TO THE PROVISIONS OF
38 SUBSECTION (A) OF THIS SECTION, FOR USES AND PURPOSES CONSIDERED
39 DESIRABLE EVEN THOUGH NOT IN CONFORMITY WITH THE URBAN RENEWAL PLAN.

40 (C) ANY INSTRUMENT EXECUTED BY THE MUNICIPALITY AND PURPORTING
41 TO CONVEY ANY RIGHT, TITLE, OR INTEREST IN ANY PROPERTY UNDER THIS
42 APPENDIX SHALL BE PRESUMED CONCLUSIVELY TO HAVE BEEN EXECUTED IN
43 COMPLIANCE WITH THE PROVISIONS OF THIS APPENDIX INsofar AS TITLE OR
44 OTHER INTEREST OF ANY BONA FIDE PURCHASERS, LESSEES, OR TRANSFEREES OF
45 THE PROPERTY IS CONCERNED.

46 A1-109. EMINENT DOMAIN.

1 CONDEMNATION OF LAND OR PROPERTY UNDER THE PROVISIONS OF THIS
2 APPENDIX SHALL BE IN ACCORDANCE WITH THE PROCEDURE PROVIDED IN THE
3 REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

4 A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.

5 THE MUNICIPALITY, TO THE EXTENT IT DETERMINES TO BE FEASIBLE IN
6 CARRYING OUT THE PROVISIONS OF THIS APPENDIX, SHALL AFFORD MAXIMUM
7 OPPORTUNITY TO THE REHABILITATION OR REDEVELOPMENT OF ANY URBAN
8 RENEWAL AREA BY PRIVATE ENTERPRISE CONSISTENT WITH THE SOUND NEEDS OF
9 THE MUNICIPALITY AS A WHOLE. THE MUNICIPALITY SHALL GIVE CONSIDERATION
10 TO THIS OBJECTIVE IN EXERCISING ITS POWERS UNDER THIS APPENDIX.

11 A1-111. GENERAL OBLIGATION BONDS.

12 FOR THE PURPOSE OF FINANCING AND CARRYING OUT AN URBAN RENEWAL
13 PROJECT AND RELATED ACTIVITIES, THE MUNICIPALITY MAY ISSUE AND SELL ITS
14 GENERAL OBLIGATION BONDS. ANY BONDS ISSUED BY THE MUNICIPALITY
15 PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE MANNER AND WITHIN THE
16 LIMITATIONS PRESCRIBED BY APPLICABLE LAW FOR THE ISSUANCE AND
17 AUTHORIZATION OF GENERAL OBLIGATION BONDS BY THE MUNICIPALITY, AND ALSO
18 WITHIN LIMITATIONS DETERMINED BY THE MUNICIPALITY.

19 A1-112. REVENUE BONDS.

20 (A) IN ADDITION TO THE AUTHORITY CONFERRED BY § A1-111 OF THIS
21 APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE
22 UNDERTAKING OF ANY URBAN RENEWAL PROJECT AND RELATED ACTIVITIES. ALSO,
23 IT MAY ISSUE REFUNDING BONDS FOR THE PAYMENT OR RETIREMENT OF THE
24 BONDS ISSUED PREVIOUSLY BY IT. THE BONDS SHALL BE MADE PAYABLE, AS TO
25 BOTH PRINCIPAL AND INTEREST, SOLELY FROM THE INCOME, PROCEEDS,
26 REVENUES, AND FUNDS OF THE MUNICIPALITY DERIVED FROM OR HELD IN
27 CONNECTION WITH THE UNDERTAKING AND CARRYING OUT OF URBAN RENEWAL
28 PROJECTS UNDER THIS APPENDIX. HOWEVER, PAYMENT OF THE BONDS, BOTH AS TO
29 PRINCIPAL AND INTEREST, MAY BE FURTHER SECURED BY A PLEDGE OF ANY LOAN,
30 GRANT, OR CONTRIBUTION FROM THE FEDERAL GOVERNMENT OR OTHER SOURCE,
31 IN AID OF ANY URBAN RENEWAL PROJECTS OF THE MUNICIPALITY UNDER THIS
32 APPENDIX, AND BY A MORTGAGE OF ANY URBAN RENEWAL PROJECT, OR ANY PART
33 OF A PROJECT, TITLE TO WHICH IS IN THE MUNICIPALITY. IN ADDITION, THE
34 MUNICIPALITY MAY ENTER INTO AN INDENTURE OF TRUST WITH ANY PRIVATE
35 BANKING INSTITUTION OF THIS STATE HAVING TRUST POWERS AND MAY MAKE IN
36 THE INDENTURE OF TRUST COVENANTS AND COMMITMENTS REQUIRED BY ANY
37 PURCHASER FOR THE ADEQUATE SECURITY OF THE BONDS.

38 (B) BONDS ISSUED UNDER THIS SECTION DO NOT CONSTITUTE AN
39 INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY
40 DEBT LIMITATION OR RESTRICTION, ARE NOT SUBJECT TO THE PROVISIONS OF ANY
41 OTHER LAW OR CHARTER RELATING TO THE AUTHORIZATION, ISSUANCE, OR SALE
42 OF BONDS, AND ARE EXEMPTED SPECIFICALLY FROM THE RESTRICTIONS

1 CONTAINED IN §§ 9, 10, AND 11 OF ARTICLE 31 (DEBT - PUBLIC) OF THE ANNOTATED
2 CODE OF MARYLAND. BONDS ISSUED UNDER THE PROVISIONS OF THIS APPENDIX
3 ARE DECLARED TO BE ISSUED FOR AN ESSENTIAL PUBLIC AND GOVERNMENTAL
4 PURPOSE AND, TOGETHER WITH INTEREST ON THEM AND INCOME FROM THEM, ARE
5 EXEMPT FROM ALL TAXES.

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

- 9 (1) BEAR A DATE OR DATES;
- 10 (2) MATURE AT A TIME OR TIMES;
- 11 (3) BEAR INTEREST AT A RATE OR RATES;
- 12 (4) BE IN A DENOMINATION OR DENOMINATIONS;
- 13 (5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR REGISTERED;
- 14 (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;
- 15 (7) HAVE A RANK OR PRIORITY;
- 16 (8) BE EXECUTED IN A MANNER;
- 17 (9) BE PAYABLE IN A MEDIUM OR PAYMENT, AT A PLACE OR PLACES,
18 AND BE SUBJECT TO TERMS OF REDEMPTION (WITH OR WITHOUT PREMIUM);
- 19 (10) BE SECURED IN A MANNER; AND
- 20 (11) HAVE OTHER CHARACTERISTICS, AS ARE PROVIDED BY THE
21 RESOLUTION, TRUST INDENTURE, OR MORTGAGE ISSUED PURSUANT TO IT.

22 (D) THESE BONDS MAY NOT BE SOLD AT LESS THAN PAR VALUE AT PUBLIC
23 SALES WHICH ARE HELD AFTER NOTICE IS PUBLISHED PRIOR TO THE SALE IN A
24 NEWSPAPER HAVING A GENERAL CIRCULATION IN THE AREA IN WHICH THE
25 MUNICIPALITY IS LOCATED AND IN WHATEVER OTHER MEDIUM OF PUBLICATION AS
26 THE MUNICIPALITY MAY DETERMINE. THE BONDS MAY BE EXCHANGED ALSO FOR
27 OTHER BONDS ON THE BASIS OF PAR. HOWEVER, THE BONDS MAY NOT BE SOLD TO
28 THE FEDERAL GOVERNMENT AT PRIVATE SALE AT LESS THAN PAR, AND, IN THE
29 EVENT LESS THAN ALL OF THE AUTHORIZED PRINCIPAL AMOUNT OF THE BONDS IS
30 SOLD TO THE FEDERAL GOVERNMENT, THE BALANCE MAY NOT BE SOLD AT PRIVATE
31 SALE AT LESS THAN PAR AT AN INTEREST COST TO THE MUNICIPALITY WHICH DOES
32 NOT EXCEED THE INTEREST COST TO THE MUNICIPALITY OF THE PORTION OF THE
33 BONDS SOLD TO THE FEDERAL GOVERNMENT.

34 (E) IN CASE ANY OF THE PUBLIC OFFICIALS OF THE MUNICIPALITY WHOSE
35 SIGNATURES APPEAR ON ANY BONDS OR COUPONS ISSUED UNDER THIS APPENDIX
36 CEASE TO BE OFFICIALS OF THE MUNICIPALITY BEFORE THE DELIVERY OF THE

1 BONDS OR, IN THE EVENT ANY OF THE OFFICIALS HAVE BECOME SUCH AFTER THE
2 DATE OF ISSUE OF THEM, THE BONDS ARE VALID AND BINDING OBLIGATIONS OF
3 THE MUNICIPALITY IN ACCORDANCE WITH THEIR TERMS. ANY PROVISION OF ANY
4 LAW TO THE CONTRARY NOTWITHSTANDING, ANY BONDS ISSUED PURSUANT TO
5 THIS APPENDIX ARE FULLY NEGOTIABLE.

6 (F) IN ANY SUIT, ACTION, OR PROCEEDING INVOLVING THE VALIDITY OR
7 ENFORCEABILITY OF ANY BOND ISSUED UNDER THIS APPENDIX, OR THE SECURITY
8 FOR IT, ANY BOND WHICH RECITES IN SUBSTANCE THAT IT HAS BEEN ISSUED BY THE
9 MUNICIPALITY IN CONNECTION WITH AN URBAN RENEWAL PROJECT SHALL BE
10 CONSIDERED CONCLUSIVELY TO HAVE BEEN ISSUED FOR THAT PURPOSE, AND THE
11 PROJECT SHALL BE CONSIDERED CONCLUSIVELY TO HAVE BEEN PLANNED,
12 LOCATED, AND CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THIS
13 APPENDIX.

14 (G) ALL BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS, AND
15 INSTITUTIONS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN
16 ASSOCIATIONS, INVESTMENT COMPANIES, AND OTHER PERSONS CARRYING ON A
17 BANKING OR INVESTMENT BUSINESS; ALL INSURANCE COMPANIES, INSURANCE
18 ASSOCIATIONS, AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS; AND
19 ALL EXECUTORS, ADMINISTRATORS, CURATORS, TRUSTEES, AND OTHER
20 FIDUCIARIES, MAY LEGALLY INVEST ANY SINKING FUNDS, MONEYS, OR OTHER
21 FUNDS BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY BONDS OR OTHER
22 OBLIGATIONS ISSUED BY THE MUNICIPALITY PURSUANT TO THIS APPENDIX.
23 HOWEVER, THE BONDS AND OTHER OBLIGATIONS SHALL BE SECURED BY AN
24 AGREEMENT BETWEEN THE ISSUER AND THE FEDERAL GOVERNMENT IN WHICH
25 THE ISSUER AGREES TO BORROW FROM THE FEDERAL GOVERNMENT AND THE
26 FEDERAL GOVERNMENT AGREES TO LEND TO THE ISSUER, PRIOR TO THE MATURITY
27 OF THE BONDS OR OTHER OBLIGATIONS, MONEYS IN AN AMOUNT THAT (TOGETHER
28 WITH ANY OTHER MONEYS COMMITTED IRREVOCABLY TO THE PAYMENT OF
29 PRINCIPAL AND INTEREST ON THE BONDS OR OTHER ~~OBLIGATIONS~~, OBLIGATIONS)
30 WILL SUFFICE TO PAY THE PRINCIPAL OF THE BONDS OR OTHER OBLIGATIONS WITH
31 INTEREST TO MATURITY ON THE BONDS OR OTHER OBLIGATIONS. THE MONEYS
32 UNDER THE TERMS OF THE AGREEMENT SHALL BE REQUIRED TO BE USED FOR THE
33 PURPOSE OF PAYING THE PRINCIPAL OF AND THE INTEREST ON THE BONDS OR
34 OTHER OBLIGATIONS AT THEIR MATURITY. THE BONDS AND OTHER OBLIGATIONS
35 SHALL BE AUTHORIZED SECURITY FOR ALL PUBLIC DEPOSITS. THIS SECTION
36 AUTHORIZES ANY PERSONS OR PUBLIC OR PRIVATE POLITICAL SUBDIVISIONS AND
37 OFFICERS TO USE ANY FUNDS OWNED OR CONTROLLED BY THEM FOR THE
38 PURCHASE OF ANY BONDS OR OTHER OBLIGATIONS. WITH REGARD TO LEGAL
39 INVESTMENTS, THIS SECTION MAY NOT BE CONSTRUED TO RELIEVE ANY PERSON OF
40 ANY DUTY OF EXERCISING REASONABLE CARE IN SELECTING SECURITIES.

41 A1-113. SHORT TITLE.

42 THIS APPENDIX SHALL BE KNOWN AND MAY BE CITED AS THE DISTRICT
43 HEIGHTS URBAN RENEWAL AUTHORITY FOR SLUM CLEARANCE ACT.

1 A1-114. AUTHORITY TO AMEND OR REPEAL.

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1999.