

HOUSE BILL 857

L3

8lr2135

By: **Delegates Carr, Ali, Healey, Montgomery, and Shewell**

Introduced and read first time: February 6, 2008

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Municipal Corporations – Annexations – Small Parcels**

3 FOR the purpose of providing that referendum provisions do not apply to a proposed
4 annexation into a municipal corporation of a parcel that is a certain acreage or
5 less and is part of a lot that contains a certain parcel and includes a municipal
6 boundary under certain circumstances; and generally relating to annexations by
7 municipal corporations.

8 BY repealing and reenacting, without amendments,
9 Article 23A – Corporations – Municipal
10 Section 19(a) and (b)(1)
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2007 Supplement)

13 BY adding to
14 Article 23A – Corporations – Municipal
15 Section 19(t)
16 Annotated Code of Maryland
17 (2005 Replacement Volume and 2007 Supplement)

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

20 **Article 23A – Corporations – Municipal**

21 19.

22 (a) The legislative body, by whatever name known, of every municipal
23 corporation in this State may enlarge its corporate boundaries as provided in this
24 subheading; but this power shall apply only to land:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Which is contiguous and adjoining to the existing corporate area;
2 and

3 (2) Which does not create any unincorporated area which is bounded
4 on all sides by real property presently within the corporate limits of the municipality,
5 real property proposed to be within the corporate limits of the municipality as a result
6 of the proposed annexation, or any combination of such properties.

7 (b) (1) The proposal for change may be initiated by resolution regularly
8 introduced into the legislative body of the municipal corporation, in accordance with
9 the usual requirements and practices applicable to its legislative enactments, and also
10 in conformity with the several requirements contained in subsections (b) and (c) of § 13
11 of this subtitle, but only after the legislative body has obtained the consent for the
12 proposal from not less than 25 percent of the persons who reside in the area to be
13 annexed and who are registered as voters in county elections and from the owners of
14 not less than 25 percent of the assessed valuation of the real property located in the
15 area to be annexed. The resolution shall describe by a survey of courses and distances,
16 and may also describe by landmarks and other well-known terms, the exact area
17 proposed to be included in the change, and shall contain complete and detailed
18 provisions as to the conditions and circumstances applicable to the change in
19 boundaries and to the residents and property within the area to be annexed.

20 (T) **THE PROVISIONS OF THIS SECTION PROVIDING FOR A REFERENDUM**
21 **DO NOT APPLY IF A PARCEL OF LAND PROPOSED FOR ANNEXATION IS:**

22 (1) **5 ACRES OR LESS; AND**

23 (2) **PART OF A LOT THAT:**

24 (I) **CONTAINS ANOTHER PARCEL THAT IS ALREADY WITHIN**
25 **THE CORPORATE AREA; AND**

26 (II) **INCLUDES A MUNICIPAL BOUNDARY THAT EXISTED**
27 **BEFORE THE LOT WAS CREATED.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2008.