

SENATE BILL 313

L3
HB 1385/20 – ENT

3lr1132
CF HB 561

By: **Carroll County Senators**

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

Re-referred to: Education, Energy, and the Environment, February 9, 2023

Committee Report: Favorable

Senate action: Adopted

Read second time: February 16, 2023

CHAPTER _____

1 AN ACT concerning

2 **Town of Mount Airy (Carroll County and Frederick County) – Urban Renewal**
3 **Authority**

4 FOR the purpose of granting the Town of Mount Airy in Carroll County and Frederick
5 County the authority to exercise urban renewal powers within an urban renewal
6 area under Article III, Section 61 of the Maryland Constitution; authorizing the
7 municipality to levy certain taxes and issue general obligation bonds and revenue
8 bonds to carry out urban renewal powers; and generally relating to urban renewal
9 authority for slum and blight clearance for the Town of Mount Airy in Carroll County
10 and Frederick County.

11 BY adding to

12 Chapter 99 – Charter of the Town of Mount Airy

13 Section A1–101 through A1–114 to be under the new heading “Appendix I – Urban
14 Renewal Authority for Slum Clearance”

15 Public Local Laws of Maryland – Compilation of Municipal Charters
16 (2014 Replacement Edition, Revisions Current as of November 2021)

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

19 **Chapter 99 – Charter of the Town of Mount Airy**

20 **APPENDIX I – URBAN RENEWAL AUTHORITY FOR SLUM CLEARANCE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **A1-101. DEFINITIONS.**

2 (A) IN THIS APPENDIX THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "BLIGHTED AREA" MEANS AN AREA OR SINGLE PROPERTY IN WHICH
5 THE BUILDING OR BUILDINGS HAVE DECLINED IN PRODUCTIVITY BY REASON OF
6 OBSOLESCENCE, DEPRECIATION, OR OTHER CAUSES TO AN EXTENT THEY NO
7 LONGER JUSTIFY FUNDAMENTAL REPAIRS AND ADEQUATE MAINTENANCE.

8 (C) "BONDS" MEANS ANY BONDS (INCLUDING REFUNDING BONDS), NOTES,
9 INTERIM CERTIFICATES, CERTIFICATES OF INDEBTEDNESS, DEBENTURES, OR
10 OTHER OBLIGATIONS.

11 (D) "FEDERAL GOVERNMENT" MEANS THE UNITED STATES OF AMERICA OR
12 ANY AGENCY OR INSTRUMENTALITY, CORPORATE OR OTHERWISE, OF THE UNITED
13 STATES OF AMERICA.

14 (E) "MUNICIPALITY" MEANS THE TOWN OF MOUNT AIRY, MARYLAND.

15 (F) "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP,
16 CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY
17 POLITIC. IT INCLUDES ANY TRUSTEE, RECEIVER, ASSIGNEE, OR OTHER PERSON
18 ACTING IN SIMILAR REPRESENTATIVE CAPACITY.

19 (G) "SLUM AREA" MEANS ANY AREA OR SINGLE PROPERTY WHERE
20 DWELLINGS PREDOMINATE WHICH, BY REASON OF DEPRECIATION,
21 OVERCROWDING, FAULTY ARRANGEMENT OR DESIGN, LACK OF VENTILATION,
22 LIGHT, OR SANITARY FACILITIES, OR ANY COMBINATION OF THESE FACTORS, ARE
23 DETRIMENTAL TO THE PUBLIC SAFETY, HEALTH, OR MORALS.

24 (H) "URBAN RENEWAL AREA" MEANS A SLUM AREA OR A BLIGHTED AREA OR
25 A COMBINATION OF THEM WHICH THE MUNICIPALITY DESIGNATES AS APPROPRIATE
26 FOR AN URBAN RENEWAL PROJECT.

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

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

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

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

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

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

1 **(B) THESE PROJECTS SHALL BE LIMITED:**

2 **(1) TO SLUM CLEARANCE IN SLUM OR BLIGHTED AREAS AND**
3 **REDEVELOPMENT OR THE REHABILITATION OF SLUM OR BLIGHTED AREAS;**

4 **(2) TO ACQUIRE IN CONNECTION WITH THOSE PROJECTS, WITHIN**
5 **THE CORPORATE LIMITS OF THE MUNICIPALITY, LAND AND PROPERTY OF EVERY**
6 **KIND AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE,**
7 **INCLUDING LAND OR PROPERTY AND ANY RIGHT OR INTEREST ALREADY DEVOTED**
8 **TO PUBLIC USE, BY PURCHASE, LEASE, GIFT, CONDEMNATION, OR ANY OTHER LEGAL**
9 **MEANS; AND**

10 **(3) TO SELL, LEASE, CONVEY, TRANSFER, OR OTHERWISE DISPOSE OF**
11 **ANY OF THE LAND OR PROPERTY, REGARDLESS OF WHETHER OR NOT IT HAS BEEN**
12 **DEVELOPED, REDEVELOPED, ALTERED, OR IMPROVED AND IRRESPECTIVE OF THE**
13 **MANNER OR MEANS IN OR BY WHICH IT MAY HAVE BEEN ACQUIRED, TO ANY PRIVATE,**
14 **PUBLIC, OR QUASI-PUBLIC CORPORATION, PARTNERSHIP, ASSOCIATION, PERSON,**
15 **OR OTHER LEGAL ENTITY.**

16 **(C) LAND OR PROPERTY TAKEN BY THE MUNICIPALITY FOR ANY OF THESE**
17 **PURPOSES OR IN CONNECTION WITH THE EXERCISE OF ANY OF THE POWERS WHICH**
18 **ARE GRANTED BY THIS APPENDIX TO THE MUNICIPALITY BY EXERCISING THE**
19 **POWER OF EMINENT DOMAIN MAY NOT BE TAKEN WITHOUT JUST COMPENSATION,**
20 **AS AGREED ON BETWEEN THE PARTIES, OR AWARDED BY A JURY, BEING FIRST PAID**
21 **OR TENDERED TO THE PARTY ENTITLED TO THE COMPENSATION.**

22 **(D) ALL LAND OR PROPERTY NEEDED OR TAKEN BY THE EXERCISE OF THE**
23 **POWER OF EMINENT DOMAIN BY THE MUNICIPALITY FOR ANY OF THESE PURPOSES**
24 **OR IN CONNECTION WITH THE EXERCISE OF ANY OF THE POWERS GRANTED BY THIS**
25 **APPENDIX IS DECLARED TO BE NEEDED OR TAKEN FOR PUBLIC USES AND**
26 **PURPOSES.**

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

31 **A1-103. ADDITIONAL POWERS.**

32 **THE MUNICIPALITY HAS THE FOLLOWING ADDITIONAL POWERS. THESE**
33 **POWERS ARE DECLARED TO BE NECESSARY AND PROPER TO CARRY INTO FULL**
34 **FORCE AND EFFECT THE SPECIFIC POWERS GRANTED IN THIS APPENDIX AND TO**
35 **FULLY ACCOMPLISH THE PURPOSES AND OBJECTS CONTEMPLATED BY THE**

1 PROVISIONS OF THIS SECTION:

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

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

8 (II) PLANS FOR THE ENFORCEMENT OF CODES AND
9 REGULATIONS RELATING TO THE USE OF LAND AND THE USE AND OCCUPANCY OF
10 BUILDINGS AND IMPROVEMENTS AND TO THE COMPULSORY REPAIR,
11 REHABILITATION, DEMOLITION, OR REMOVAL OF BUILDINGS AND IMPROVEMENTS;
12 AND

13 (III) APPRAISALS, TITLE SEARCHES, SURVEYS, STUDIES, AND
14 OTHER PLANS AND WORK NECESSARY TO PREPARE FOR THE UNDERTAKING OF
15 URBAN RENEWAL PROJECTS AND RELATED ACTIVITIES; AND TO APPLY FOR,
16 ACCEPT, AND UTILIZE GRANTS OF FUNDS FROM THE FEDERAL GOVERNMENT OR
17 OTHER GOVERNMENTAL ENTITY FOR THOSE PURPOSES;

18 (2) TO PREPARE PLANS FOR THE RELOCATION OF PERSONS
19 (INCLUDING FAMILIES, BUSINESS CONCERNS, AND OTHERS) DISPLACED FROM AN
20 URBAN RENEWAL AREA, AND TO MAKE RELOCATION PAYMENTS TO OR WITH
21 RESPECT TO THOSE PERSONS FOR MOVING EXPENSES AND LOSSES OF PROPERTY
22 FOR WHICH REIMBURSEMENT OR COMPENSATION IS NOT OTHERWISE MADE,
23 INCLUDING THE MAKING OF PAYMENTS FINANCED BY THE FEDERAL GOVERNMENT;

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

27 (I) TO THE PAYMENT OF ANY AND ALL COSTS AND EXPENSES
28 INCURRED IN CONNECTION WITH, OR INCIDENTAL TO, THE ACQUISITION OF LAND
29 OR PROPERTY, AND FOR THE DEMOLITION, REMOVAL, RELOCATION, RENOVATION,
30 OR ALTERATION OF LAND, BUILDINGS, STREETS, HIGHWAYS, ALLEYS, UTILITIES, OR
31 SERVICES, AND OTHER STRUCTURES OR IMPROVEMENTS, AND FOR THE
32 CONSTRUCTION, RECONSTRUCTION, INSTALLATION, RELOCATION, OR REPAIR OF
33 STREETS, HIGHWAYS, ALLEYS, UTILITIES, OR SERVICES, IN CONNECTION WITH
34 URBAN RENEWAL PROJECTS;

35 (II) TO LEVY TAXES AND ASSESSMENTS FOR THOSE PURPOSES;

1 (III) TO BORROW MONEY AND TO APPLY FOR AND ACCEPT
2 ADVANCES, LOANS, GRANTS, CONTRIBUTIONS, AND ANY OTHER FORM OF FINANCIAL
3 ASSISTANCE FROM THE FEDERAL GOVERNMENT, THE STATE, COUNTY, OR OTHER
4 PUBLIC BODIES, OR FROM ANY SOURCES, PUBLIC OR PRIVATE, FOR THE PURPOSES
5 OF THIS APPENDIX, AND TO GIVE WHATEVER SECURITY AS MAY BE REQUIRED FOR
6 THIS FINANCIAL ASSISTANCE; AND

7 (IV) TO INVEST ANY URBAN RENEWAL FUNDS HELD IN RESERVES
8 OR SINKING FUNDS OR ANY OF THESE FUNDS NOT REQUIRED FOR IMMEDIATE
9 DISBURSEMENT IN PROPERTY OR SECURITIES WHICH ARE LEGAL INVESTMENTS FOR
10 OTHER MUNICIPAL FUNDS;

11 (4) (I) TO HOLD, IMPROVE, CLEAR, OR PREPARE FOR
12 REDEVELOPMENT ANY PROPERTY ACQUIRED IN CONNECTION WITH URBAN
13 RENEWAL PROJECTS;

14 (II) TO MORTGAGE, PLEDGE, HYPOTHECATE, OR OTHERWISE
15 ENCUMBER THAT PROPERTY; AND

16 (III) TO INSURE OR PROVIDE FOR THE INSURANCE OF THE
17 PROPERTY OR OPERATIONS OF THE MUNICIPALITY AGAINST ANY RISKS OR
18 HAZARDS, INCLUDING THE POWER TO PAY PREMIUMS ON ANY INSURANCE;

19 (5) TO MAKE AND EXECUTE ALL CONTRACTS AND OTHER
20 INSTRUMENTS NECESSARY OR CONVENIENT TO THE EXERCISE OF ITS POWERS
21 UNDER THIS APPENDIX, INCLUDING THE POWER TO ENTER INTO AGREEMENTS WITH
22 OTHER PUBLIC BODIES OR AGENCIES (THESE AGREEMENTS MAY EXTEND OVER ANY
23 PERIOD, NOTWITHSTANDING ANY PROVISION OR RULE OF LAW TO THE CONTRARY),
24 AND TO INCLUDE IN ANY CONTRACT FOR FINANCIAL ASSISTANCE WITH THE
25 FEDERAL GOVERNMENT FOR OR WITH RESPECT TO AN URBAN RENEWAL PROJECT
26 AND RELATED ACTIVITIES ANY CONDITIONS IMPOSED PURSUANT TO FEDERAL LAWS
27 AS THE MUNICIPALITY CONSIDERS REASONABLE AND APPROPRIATE;

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

33 (7) TO PLAN, REPLAN, INSTALL, CONSTRUCT, RECONSTRUCT,
34 REPAIR, CLOSE, OR VACATE STREETS, ROADS, SIDEWALKS, PUBLIC UTILITIES,
35 PARKS, PLAYGROUNDS, AND OTHER PUBLIC IMPROVEMENTS IN CONNECTION WITH

1 AN URBAN RENEWAL PROJECT; AND TO MAKE EXCEPTIONS FROM BUILDING
2 REGULATIONS;

3 (8) TO GENERALLY ORGANIZE, COORDINATE, AND DIRECT THE
4 ADMINISTRATION OF THE PROVISIONS OF THIS APPENDIX AS THEY APPLY TO THE
5 MUNICIPALITY IN ORDER THAT THE OBJECTIVE OF REMEDYING SLUM AND
6 BLIGHTED AREAS AND PREVENTING ITS CAUSES WITHIN THE MUNICIPALITY MAY BE
7 PROMOTED AND ACHIEVED MOST EFFECTIVELY; AND

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

10 **A1-104. ESTABLISHMENT OF URBAN RENEWAL AGENCY.**

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

15 (B) IN THE EVENT THE LEGISLATIVE BODY MAKES THAT DETERMINATION,
16 IT SHALL PROCEED BY ORDINANCE TO ESTABLISH A PUBLIC BODY OR AGENCY TO
17 UNDERTAKE IN THE MUNICIPALITY THE ACTIVITIES AUTHORIZED BY THIS
18 APPENDIX.

19 (C) THE ORDINANCE SHALL INCLUDE PROVISIONS ESTABLISHING THE
20 NUMBER OF MEMBERS OF THE PUBLIC BODY OR AGENCY, THE MANNER OF THEIR
21 APPOINTMENT AND REMOVAL, AND THE TERMS OF THE MEMBERS AND THEIR
22 COMPENSATION.

23 (D) THE ORDINANCE MAY INCLUDE WHATEVER ADDITIONAL PROVISIONS
24 RELATING TO THE ORGANIZATION OF THE PUBLIC BODY OR AGENCY AS MAY BE
25 NECESSARY.

26 (E) IN THE EVENT THE LEGISLATIVE BODY ENACTS THIS ORDINANCE, ALL
27 OF THE POWERS BY THIS APPENDIX GRANTED TO THE MUNICIPALITY, FROM THE
28 EFFECTIVE DATE OF THE ORDINANCE, ARE VESTED IN THE PUBLIC BODY OR AGENCY
29 ESTABLISHED BY THE ORDINANCE.

30 **A1-105. POWERS WITHHELD FROM THE AGENCY.**

31 **THE AGENCY MAY NOT:**

32 (1) PASS A RESOLUTION TO INITIATE AN URBAN RENEWAL PROJECT

1 PURSUANT TO SECTIONS A1-102 AND A1-103 OF THIS APPENDIX;

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

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

6 A1-106. INITIATION OF PROJECT.

7 IN ORDER TO INITIATE AN URBAN RENEWAL PROJECT, THE LEGISLATIVE
8 BODY OF THE MUNICIPALITY SHALL ADOPT A RESOLUTION WHICH:

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

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

12 (3) FINDS THAT THE REHABILITATION, REDEVELOPMENT, OR A
13 COMBINATION OF THEM, OF THE AREA OR AREAS, IS NECESSARY AND IN THE
14 INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE
15 RESIDENTS OF THE MUNICIPALITY.

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

17 (A) IN ORDER TO CARRY OUT THE PURPOSES OF THIS APPENDIX, THE
18 MUNICIPALITY SHALL HAVE PREPARED AN URBAN RENEWAL PLAN FOR SLUM OR
19 BLIGHTED AREAS IN THE MUNICIPALITY, AND SHALL APPROVE THE PLAN
20 FORMALLY. THE MUNICIPALITY SHALL HOLD A PUBLIC HEARING ON AN URBAN
21 RENEWAL PROJECT AFTER PUBLIC NOTICE OF IT BY PUBLICATION IN A NEWSPAPER
22 HAVING A GENERAL CIRCULATION WITHIN THE CORPORATE LIMITS OF THE
23 MUNICIPALITY. THE NOTICE SHALL DESCRIBE THE TIME, DATE, PLACE, AND
24 PURPOSE OF THE HEARING, SHALL GENERALLY IDENTIFY THE URBAN RENEWAL
25 AREA COVERED BY THE PLAN, AND SHALL OUTLINE THE GENERAL SCOPE OF THE
26 URBAN RENEWAL PROJECT UNDER CONSIDERATION. FOLLOWING THE HEARING,
27 THE MUNICIPALITY MAY APPROVE AN URBAN RENEWAL PROJECT AND THE PLAN
28 THEREFOR IF IT FINDS THAT:

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

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

3 **(3) THE URBAN RENEWAL PLAN WILL AFFORD MAXIMUM**
4 **OPPORTUNITY, CONSISTENT WITH THE SOUND NEEDS OF THE MUNICIPALITY AS A**
5 **WHOLE, FOR THE REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL**
6 **AREA BY PRIVATE ENTERPRISE.**

7 **(B) AN URBAN RENEWAL PLAN MAY BE MODIFIED AT ANY TIME. IF**
8 **MODIFIED AFTER THE LEASE OR SALE OF REAL PROPERTY IN THE URBAN RENEWAL**
9 **PROJECT AREA, THE MODIFICATION MAY BE CONDITIONED ON WHATEVER**
10 **APPROVAL OF THE OWNER, LESSEE, OR SUCCESSOR IN INTEREST AS THE**
11 **MUNICIPALITY CONSIDERS ADVISABLE. IN ANY EVENT, IT SHALL BE SUBJECT TO**
12 **WHATEVER RIGHTS AT LAW OR IN EQUITY AS A LESSEE OR PURCHASER, OR THE**
13 **SUCCESSOR OR SUCCESSORS IN INTEREST, MAY BE ENTITLED TO ASSERT. WHERE**
14 **THE PROPOSED MODIFICATION WILL CHANGE SUBSTANTIALLY THE URBAN**
15 **RENEWAL PLAN AS APPROVED PREVIOUSLY BY THE MUNICIPALITY, THE**
16 **MODIFICATION SHALL BE APPROVED FORMALLY BY THE MUNICIPALITY, AS IN THE**
17 **CASE OF AN ORIGINAL PLAN.**

18 **(C) ON THE APPROVAL BY THE MUNICIPALITY OF AN URBAN RENEWAL PLAN**
19 **OR OF ANY MODIFICATION OF IT, THE PLAN OR MODIFICATION SHALL BE**
20 **CONSIDERED TO BE IN FULL FORCE AND EFFECT FOR THE RESPECTIVE URBAN**
21 **RENEWAL AREA. THE MUNICIPALITY MAY HAVE THE PLAN OR MODIFICATION**
22 **CARRIED OUT IN ACCORDANCE WITH ITS TERMS.**

23 **A1-108. DISPOSAL OF PROPERTY IN URBAN RENEWAL AREA.**

24 **(A) THE MUNICIPALITY, BY ORDINANCE, MAY SELL, LEASE, OR OTHERWISE**
25 **TRANSFER REAL PROPERTY OR ANY INTEREST IN IT ACQUIRED BY IT FOR AN URBAN**
26 **RENEWAL PROJECT TO ANY PERSON FOR RESIDENTIAL, RECREATIONAL,**
27 **COMMERCIAL, INDUSTRIAL, EDUCATIONAL, OR OTHER USES OR FOR PUBLIC USE, OR**
28 **IT MAY RETAIN THE PROPERTY OR INTEREST FOR PUBLIC USE, IN ACCORDANCE**
29 **WITH THE URBAN RENEWAL PLAN AND SUBJECT TO WHATEVER COVENANTS,**
30 **CONDITIONS, AND RESTRICTIONS, INCLUDING COVENANTS RUNNING WITH THE**
31 **LAND, AS IT CONSIDERS NECESSARY OR DESIRABLE TO ASSIST IN PREVENTING THE**
32 **DEVELOPMENT OR SPREAD OF FUTURE SLUMS OR BLIGHTED AREAS OR TO**
33 **OTHERWISE CARRY OUT THE PURPOSES OF THIS APPENDIX. THE PURCHASERS OR**
34 **LESSEES AND THEIR SUCCESSORS AND ASSIGNS SHALL BE OBLIGATED TO DEVOTE**
35 **THE REAL PROPERTY ONLY TO THE USES SPECIFIED IN THE URBAN RENEWAL PLAN,**
36 **AND MAY BE OBLIGATED TO COMPLY WITH WHATEVER OTHER REQUIREMENTS THE**
37 **MUNICIPALITY DETERMINES TO BE IN THE PUBLIC INTEREST, INCLUDING THE**

1 OBLIGATION TO BEGIN WITHIN A REASONABLE TIME ANY IMPROVEMENTS ON THE
2 REAL PROPERTY REQUIRED BY THE URBAN RENEWAL PLAN. THE REAL PROPERTY
3 OR INTEREST MAY NOT BE SOLD, LEASED, OTHERWISE TRANSFERRED, OR RETAINED
4 AT LESS THAN ITS FAIR VALUE FOR USES IN ACCORDANCE WITH THE URBAN
5 RENEWAL PLAN. IN DETERMINING THE FAIR VALUE OF REAL PROPERTY FOR USES
6 IN ACCORDANCE WITH THE URBAN RENEWAL PLAN, THE MUNICIPALITY SHALL TAKE
7 INTO ACCOUNT AND GIVE CONSIDERATION TO THE USES PROVIDED IN THE PLAN,
8 THE RESTRICTIONS ON, AND THE COVENANTS, CONDITIONS, AND OBLIGATIONS
9 ASSUMED BY THE PURCHASER OR LESSEE OR BY THE MUNICIPALITY RETAINING THE
10 PROPERTY, AND THE OBJECTIVES OF THE PLAN FOR THE PREVENTION OF THE
11 RECURRENCE OF SLUM OR BLIGHTED AREAS. IN ANY INSTRUMENT OR CONVEYANCE
12 TO A PRIVATE PURCHASER OR LESSEE, THE MUNICIPALITY MAY PROVIDE THAT THE
13 PURCHASER OR LESSEE MAY NOT SELL, LEASE, OR OTHERWISE TRANSFER THE REAL
14 PROPERTY WITHOUT THE PRIOR WRITTEN CONSENT OF THE MUNICIPALITY UNTIL
15 THE PURCHASER OR LESSEE HAS COMPLETED THE CONSTRUCTION OF ANY OR ALL
16 IMPROVEMENTS WHICH THE PURCHASER OR LESSEE HAS BEEN OBLIGATED TO
17 CONSTRUCT ON THE PROPERTY. REAL PROPERTY ACQUIRED BY THE MUNICIPALITY
18 WHICH, IN ACCORDANCE WITH THE PROVISIONS OF THE URBAN RENEWAL PLAN, IS
19 TO BE TRANSFERRED, SHALL BE TRANSFERRED AS RAPIDLY AS FEASIBLE IN THE
20 PUBLIC INTEREST CONSISTENT WITH THE CARRYING OUT OF THE PROVISIONS OF
21 THE URBAN RENEWAL PLAN. ANY CONTRACT FOR THE TRANSFER AND THE URBAN
22 RENEWAL PLAN (OR ANY PART OR PARTS OF THE CONTRACT OR PLAN AS THE
23 MUNICIPALITY DETERMINES) MAY BE RECORDED IN THE LAND RECORDS OF THE
24 COUNTY IN WHICH THE MUNICIPALITY IS SITUATED IN A MANNER SO AS TO AFFORD
25 ACTUAL OR CONSTRUCTIVE NOTICE OF IT.

26 (B) THE MUNICIPALITY, BY ORDINANCE, MAY DISPOSE OF REAL PROPERTY
27 IN AN URBAN RENEWAL AREA TO PRIVATE PERSONS. THE MUNICIPALITY MAY, BY
28 PUBLIC NOTICE BY PUBLICATION IN A NEWSPAPER HAVING A GENERAL
29 CIRCULATION IN THE COMMUNITY, INVITE PROPOSALS FROM AND MAKE AVAILABLE
30 ALL PERTINENT INFORMATION TO PRIVATE REDEVELOPERS OR ANY PERSONS
31 INTERESTED IN UNDERTAKING TO REDEVELOP OR REHABILITATE AN URBAN
32 RENEWAL AREA, OR ANY PART THEREOF. THE NOTICE SHALL IDENTIFY THE AREA,
33 OR PORTION THEREOF, AND SHALL STATE THAT PROPOSALS SHALL BE MADE BY
34 THOSE INTERESTED WITHIN A SPECIFIED PERIOD. THE MUNICIPALITY SHALL
35 CONSIDER ALL REDEVELOPMENT OR REHABILITATION PROPOSALS AND THE
36 FINANCIAL AND LEGAL ABILITY OF THE PERSONS MAKING PROPOSALS TO CARRY
37 THEM OUT, AND MAY NEGOTIATE WITH ANY PERSONS FOR PROPOSALS FOR THE
38 PURCHASE, LEASE, OR OTHER TRANSFER OF ANY REAL PROPERTY ACQUIRED BY
39 THE MUNICIPALITY IN THE URBAN RENEWAL AREA. THE MUNICIPALITY MAY ACCEPT
40 ANY PROPOSAL AS IT DEEMS TO BE IN THE PUBLIC INTEREST AND IN FURTHERANCE
41 OF THE PURPOSES OF THIS APPENDIX. THEREAFTER, THE MUNICIPALITY MAY
42 EXECUTE AND DELIVER CONTRACTS, DEEDS, LEASES, AND OTHER INSTRUMENTS

1 AND TAKE ALL STEPS NECESSARY TO EFFECTUATE THE TRANSFERS.

2 (C) THE MUNICIPALITY MAY OPERATE TEMPORARILY AND MAINTAIN REAL
3 PROPERTY ACQUIRED BY IT IN AN URBAN RENEWAL AREA FOR OR IN CONNECTION
4 WITH AN URBAN RENEWAL PROJECT PENDING THE DISPOSITION OF THE PROPERTY
5 AS AUTHORIZED IN THIS APPENDIX, WITHOUT REGARD TO THE PROVISIONS OF
6 SUBSECTION (A) OF THIS SECTION, FOR USES AND PURPOSES CONSIDERED
7 DESIRABLE EVEN THOUGH NOT IN CONFORMITY WITH THE URBAN RENEWAL PLAN.

8 (D) ANY INSTRUMENT EXECUTED BY THE MUNICIPALITY AND PURPORTING
9 TO CONVEY ANY RIGHT, TITLE, OR INTEREST IN ANY PROPERTY UNDER THIS
10 APPENDIX SHALL BE PRESUMED CONCLUSIVELY TO HAVE BEEN EXECUTED IN
11 COMPLIANCE WITH THE PROVISIONS OF THIS APPENDIX INsofar AS TITLE OR
12 OTHER INTEREST OF ANY BONA FIDE PURCHASERS, LESSEES, OR TRANSFEREES OF
13 THE PROPERTY IS CONCERNED.

14 A1-109. EMINENT DOMAIN.

15 CONDEMNATION OF LAND OR PROPERTY UNDER THE PROVISIONS OF THIS
16 APPENDIX SHALL BE IN ACCORDANCE WITH THE PROCEDURE PROVIDED IN THE
17 REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

18 A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.

19 THE MUNICIPALITY, TO THE EXTENT IT DETERMINES TO BE FEASIBLE IN
20 CARRYING OUT THE PROVISIONS OF THIS APPENDIX, SHALL AFFORD MAXIMUM
21 OPPORTUNITY TO THE REHABILITATION OR REDEVELOPMENT OF ANY URBAN
22 RENEWAL AREA BY PRIVATE ENTERPRISE CONSISTENT WITH THE SOUND NEEDS OF
23 THE MUNICIPALITY AS A WHOLE. THE MUNICIPALITY SHALL GIVE CONSIDERATION
24 TO THIS OBJECTIVE IN EXERCISING ITS POWERS UNDER THIS APPENDIX.

25 A1-111. GENERAL OBLIGATION BONDS.

26 FOR THE PURPOSE OF FINANCING AND CARRYING OUT AN URBAN RENEWAL
27 PROJECT AND RELATED ACTIVITIES, THE MUNICIPALITY MAY ISSUE AND SELL ITS
28 GENERAL OBLIGATION BONDS. ANY BONDS ISSUED BY THE MUNICIPALITY
29 PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE MANNER AND WITHIN THE
30 LIMITATIONS PRESCRIBED BY APPLICABLE LAW FOR THE ISSUANCE AND
31 AUTHORIZATION OF GENERAL OBLIGATION BONDS BY THE MUNICIPALITY, AND
32 ALSO WITHIN LIMITATIONS DETERMINED BY THE MUNICIPALITY.

33 A1-112. REVENUE BONDS.

1 **(A) IN ADDITION TO THE AUTHORITY CONFERRED BY SECTION A1-111 OF**
2 **THIS APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE**
3 **UNDERTAKING OF ANY URBAN RENEWAL PROJECT AND RELATED ACTIVITIES. ALSO,**
4 **IT MAY ISSUE REFUNDING BONDS FOR THE PAYMENT OR RETIREMENT OF THE**
5 **BONDS ISSUED PREVIOUSLY BY IT. THE BONDS SHALL BE MADE PAYABLE, AS TO**
6 **BOTH PRINCIPAL AND INTEREST, SOLELY FROM THE INCOME, PROCEEDS,**
7 **REVENUES, AND FUNDS OF THE MUNICIPALITY DERIVED FROM OR HELD IN**
8 **CONNECTION WITH THE UNDERTAKING AND CARRYING OUT OF URBAN RENEWAL**
9 **PROJECTS UNDER THIS APPENDIX. HOWEVER, PAYMENT OF THE BONDS, BOTH AS**
10 **TO PRINCIPAL AND INTEREST, MAY BE FURTHER SECURED BY A PLEDGE OF ANY**
11 **LOAN, GRANT, OR CONTRIBUTION FROM THE FEDERAL GOVERNMENT OR OTHER**
12 **SOURCE, IN AID OF ANY URBAN RENEWAL PROJECTS OF THE MUNICIPALITY UNDER**
13 **THIS APPENDIX, AND BY A MORTGAGE OF ANY URBAN RENEWAL PROJECT, OR ANY**
14 **PART OF A PROJECT, TITLE TO WHICH IS IN THE MUNICIPALITY. IN ADDITION, THE**
15 **MUNICIPALITY MAY ENTER INTO AN INDENTURE OF TRUST WITH ANY PRIVATE**
16 **BANKING INSTITUTION OF THIS STATE HAVING TRUST POWERS AND MAY MAKE IN**
17 **THE INDENTURE OF TRUST COVENANTS AND COMMITMENTS REQUIRED BY ANY**
18 **PURCHASER FOR THE ADEQUATE SECURITY OF THE BONDS.**

19 **(B) BONDS ISSUED UNDER THIS SECTION DO NOT CONSTITUTE AN**
20 **INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY**
21 **DEBT LIMITATION OR RESTRICTION, ARE NOT SUBJECT TO THE PROVISIONS OF ANY**
22 **OTHER LAW OR CHARTER RELATING TO THE AUTHORIZATION, ISSUANCE, OR SALE**
23 **OF BONDS, AND ARE EXEMPTED SPECIFICALLY FROM THE RESTRICTIONS**
24 **CONTAINED IN §§ 19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE OF**
25 **THE ANNOTATED CODE OF MARYLAND. BONDS ISSUED UNDER THE PROVISIONS OF**
26 **THIS APPENDIX ARE DECLARED TO BE ISSUED FOR AN ESSENTIAL PUBLIC AND**
27 **GOVERNMENTAL PURPOSE AND, TOGETHER WITH INTEREST ON THEM AND INCOME**
28 **FROM THEM, ARE EXEMPT FROM ALL TAXES.**

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

32 **(1) BEAR A DATE OR DATES;**

33 **(2) MATURE AT A TIME OR TIMES;**

34 **(3) BEAR INTEREST AT A RATE OR RATES;**

35 **(4) BE IN A DENOMINATION OR DENOMINATIONS;**

36 **(5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR**

1 REGISTERED;

2 (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;

3 (7) HAVE A RANK OR PRIORITY;

4 (8) BE EXECUTED IN A MANNER;

5 (9) BE PAYABLE IN A MEDIUM OF PAYMENT, AT A PLACE OR PLACES,
6 AND BE SUBJECT TO TERMS OF REDEMPTION (WITH OR WITHOUT PREMIUM);

7 (10) BE SECURED IN A MANNER; AND

8 (11) HAVE OTHER CHARACTERISTICS, AS ARE PROVIDED BY THE
9 RESOLUTION, TRUST INDENTURE, OR MORTGAGE ISSUED PURSUANT TO IT.

10 (D) THESE BONDS MAY NOT BE SOLD AT LESS THAN PAR VALUE AT PUBLIC
11 SALES WHICH ARE HELD AFTER NOTICE IS PUBLISHED PRIOR TO THE SALE IN A
12 NEWSPAPER HAVING A GENERAL CIRCULATION IN THE AREA IN WHICH THE
13 MUNICIPALITY IS LOCATED AND IN WHATEVER OTHER MEDIUM OF PUBLICATION AS
14 THE MUNICIPALITY MAY DETERMINE. THE BONDS MAY BE EXCHANGED ALSO FOR
15 OTHER BONDS ON THE BASIS OF PAR. HOWEVER, THE BONDS MAY NOT BE SOLD TO
16 THE FEDERAL GOVERNMENT AT PRIVATE SALE AT LESS THAN PAR, AND, IN THE
17 EVENT LESS THAN ALL OF THE AUTHORIZED PRINCIPAL AMOUNT OF THE BONDS IS
18 SOLD TO THE FEDERAL GOVERNMENT, THE BALANCE MAY NOT BE SOLD AT PRIVATE
19 SALE AT LESS THAN PAR AT AN INTEREST COST TO THE MUNICIPALITY WHICH DOES
20 NOT EXCEED THE INTEREST COST TO THE MUNICIPALITY OF THE PORTION OF THE
21 BONDS SOLD TO THE FEDERAL GOVERNMENT.

22 (E) IN CASE ANY OF THE PUBLIC OFFICIALS OF THE MUNICIPALITY WHOSE
23 SIGNATURES APPEAR ON ANY BONDS OR COUPONS ISSUED UNDER THIS APPENDIX
24 CEASE TO BE OFFICIALS OF THE MUNICIPALITY BEFORE THE DELIVERY OF THE
25 BONDS OR IN THE EVENT ANY OF THE OFFICIALS HAVE BECOME SUCH AFTER THE
26 DATE OF ISSUE OF THEM, THE BONDS ARE VALID AND BINDING OBLIGATIONS OF THE
27 MUNICIPALITY IN ACCORDANCE WITH THEIR TERMS. ANY PROVISION OF ANY LAW
28 TO THE CONTRARY NOTWITHSTANDING, ANY BONDS ISSUED PURSUANT TO THIS
29 APPENDIX ARE FULLY NEGOTIABLE.

30 (F) IN ANY SUIT, ACTION, OR PROCEEDING INVOLVING THE VALIDITY OR
31 ENFORCEABILITY OF ANY BOND ISSUED UNDER THIS APPENDIX, OR THE SECURITY
32 FOR IT, ANY BOND WHICH RECITES IN SUBSTANCE THAT IT HAS BEEN ISSUED BY THE
33 MUNICIPALITY IN CONNECTION WITH AN URBAN RENEWAL PROJECT SHALL BE
34 CONSIDERED CONCLUSIVELY TO HAVE BEEN ISSUED FOR THAT PURPOSE, AND THE

1 PROJECT SHALL BE CONSIDERED CONCLUSIVELY TO HAVE BEEN PLANNED,
2 LOCATED, AND CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THIS
3 APPENDIX.

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

31 A1-113. SHORT TITLE.

32 THIS APPENDIX SHALL BE KNOWN AND MAY BE CITED AS THE MOUNT AIRY
33 URBAN RENEWAL AUTHORITY FOR SLUM CLEARANCE ACT.

34 A1-114. AUTHORITY TO AMEND OR REPEAL.

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.