

CHARTER
OF THE
Town of Sudlersville

QUEEN ANNE'S COUNTY, MARYLAND

*As found in the Public Local Laws
of Queen Anne's County, 1974 Edition, as amended*

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ARTICLE I

Sudlersville

(See note (1))

Section 1–1. Incorporated; general powers.

(a) The inhabitants of the Town of Sudlersville, within the corporate limits legally established from time to time, are hereby constituted and continued as a body corporate by the name of the Town of Sudlersville. The municipal corporation established hereunder has all the privileges of a body corporate, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal, and to have perpetual succession, unless the Charter and the corporate existence are legally abrogated. As used in this Charter, the terms “town” and “Town” shall be synonymous with the Town’s corporate name and refer to the municipal corporation established hereunder.

(b) No right, duty, or obligation of the Town entered into in the name of the “Town of Sudlersville” shall be invalidated solely by virtue of having been entered into prior to the effective date of the change in the Town’s corporate name from “The Commissioners of Sudlersville” to the “Town of Sudlersville.” (Res., June 14, 1966, sec. 1; Charter Amendment Resolution No. 2015–01, 10–7–15; Charter Amendment Resolution No. 2016–01, 6–1–16.)

Section 1–2. Corporate limits.

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

(b) The courses and distances showing the exact corporate limits or boundaries of the Town of Sudlersville shall be filed at all times with the Clerk of the Circuit Court for Queen Anne’s County and with the Director of the Department of Legislative Reference of the Maryland General Assembly. In addition, a copy or copies of the courses and distances describing the corporate limits or boundaries of the Town of Sudlersville shall be maintained on file in the Town offices and available for public inspection during normal business hours. A map or maps showing the current corporate limits or boundaries shall likewise be maintained in the Town offices and similarly available for public inspection. (Res., 6–14–66, §§ 1 and 2; Annexation Res., 6–21–1975; Res. 2004–01, 5–21–04; Res. 2007–08, 5–21–08; Res. 2009–03, 5–02–09; Charter Amendment Resolution No. 2015–01, 10–7–15.)

ARTICLE II

The Commission

Section 2-1. Number; selection; term.

All legislative powers of the Town are vested in a Commission consisting of five Commissioners, who shall be elected as hereinafter provided and who shall hold office for a term of three years or until their successors takes office. The regular term of a Commissioner shall expire on the fourth Monday in May following the election of a successor. Commissioners holding office at the time this Charter becomes effective shall continue to hold office for the term for which they were elected or until their successors take office under the provisions of this Charter. (Res., 6-14-66, sec. 3; Res. 2005-04, 7-27-05; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-2. Qualifications.

Commissioners shall have resided in the Town at least two years immediately preceding their election and shall be qualified voters of the Town. (Res., June 14, 1966, sec. 4; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-3. Salary.

Commissioners may receive an annual salary. Salaries of Commissioners shall be specified from time to time by ordinance. Each Commissioner shall receive the same salary; provided, however, any increase or decrease in such salary shall take effect only as to those Commissioners who shall be elected, re-elected, or appointed to office following the passage of such amendment. (Res., June 14, 1966, sec. 5; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-4. President and Vice-President.

A newly elected Commission shall meet at a designated time on or after the fourth Monday in May following its election for the purpose of organization and choosing a President and Vice-President of the Commission. The President and Vice-President shall be selected from the membership of the Commission. The President shall preside at all meetings, vote on all questions before the Commission, and remain in office until superseded by the appointment of a new President. The Vice-President shall act as President in the President's absence. (Res., June 14, 1966, sec. 6; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-5. Meetings.

(a) The Commission shall meet regularly at such times as may be prescribed by its rules, but not less frequently than once each month. Special meetings may be called by the President or a majority of the Commission membership.

(b) All meetings of the Commission shall be open to the public unless closed by the Commission in accordance with State law. The rules of the Commission shall provide that residents shall have a reasonable opportunity to be heard at any public meeting in regard to any municipal question. (Res., June 14, 1966, sec. 6; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-6. Quorum.

A majority of the members of the Commission shall constitute a quorum for the transaction of business, but no ordinance shall be approved nor any other action taken without the favorable votes of a majority of the members of the Commission. (Res., June 14, 1966, sec. 8; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-7. Procedure.

The Commission shall determine its own rules and order of business. (Res., June 14, 1966, sec. 9; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 2-8. Ordinances and Resolutions.

(a) *Definitions.*

(1) “Resolution” shall mean a formal expression of opinion, will, or intent adopted by a vote of the Commission and, unless otherwise required by law, shall not have the force of an ordinance. A resolution may be passed by the Commission immediately following introduction.

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

(b) A proposed ordinance or resolution may be introduced by any Commissioner at any public meeting of the Commission. A proposed ordinance shall be posted on an official bulletin board maintained by the Commission in a public place or available for inspection at the Town Hall and shall be posted on the Town’s website until it is passed or rejected by the Commission. No ordinance shall be passed at the meeting at which it is introduced.

(c) At any regular or special meeting of the Commission held not less than six nor more than 60 days after the meeting at which an ordinance was introduced, the Commission may pass, pass as amended, reject, or defer consideration of the ordinance until a specified future date. A brief but fair description of each ordinance passed to include emergency ordinances shall be published at least once in a newspaper or newspapers having general circulation in the Town within 20 days of passage. No ordinance or resolution passed by the Commission shall be effective until it has been signed by at least three Commissioners.

(d) Except as otherwise provided in this Charter or unless otherwise specified, every ordinance and resolution shall become effective immediately upon passage or adoption, respectively, by the Commission.

(e) Ordinances and resolutions shall be permanently filed by the Clerk-Treasurer and shall be kept available for public inspection.

(f) In cases of emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of all of the Commissioners present, provided that a quorum is present. An emergency ordinance may be enacted when it is necessary for the immediate preservation of the public peace, health, safety, or welfare. An emergency ordinance may become effective immediately upon adoption or on a later date as specified therein. No emergency ordinance shall levy any tax or authorize borrowing except as provided in Section 5–20 of this Charter; abolish any office; change the compensation, term, or duty of any officer; grant any franchise or special privilege; sell any public property or land; or create any vested right or interest. Every emergency ordinance shall be plainly designated as such and shall describe the emergency in clear and specific terms. Upon adoption, a fair summary of the emergency ordinance shall be immediately published in a newspaper of general circulation in the Town and posted on an official bulletin board maintained by the Commission in a public place. All emergency ordinances shall have a termination date not to exceed one year after enactment. (Res. passed 6–11–1966, sec. 13; Charter Amendment Resolution No. 2015–01, 10–7–15; Charter Amendment Resolution No. 2016–01, 6–1–16.)

ARTICLE III

Powers

Section 3–1. Powers.

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

(b) *Specific powers.* The Commission shall have the power to pass ordinances for the following specific purposes:

(1) *Advertising.* To provide for advertising for the purposes of the Town and for printing and publishing statements as to the business of the Town.

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

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

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

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

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

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

(8) *Boards, Commissions and Committees.* To appoint such boards, commissions, and committees as may be necessary to the health, welfare, and safety of the citizens of the Town. The authority and responsibility for each such group appointed shall be prescribed in the Ordinance that creates it.

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

(10) *Buildings.* To make reasonable regulations in regard to buildings and signs to be erected, constructed, or reconstructed in the Town, and to grant building permits for the same; to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require reasonable charges for permits and inspections; to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings and structures be made safe or be taken down.

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

(12) *Codification.* To provide for the codification of all ordinances which have been or may hereafter be passed.

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

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

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

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

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

(18) *Disorderly houses.* To suppress bawdy houses, disorderly houses, and houses of ill fame.

(19) *Dogs.* To regulate the keeping of dogs in the Town and to provide, wherever the county does not license or tax dogs, for the licensing and taxing of the same; to provide for the disposition of homeless dogs and dogs on which no license fee or taxes are paid.

(20) *Elevators.* To require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license.

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

(22) *Filth.* To compel the occupant of any premises, building, or outhouse situated in the Town, when the same has become filthy or unwholesome, to abate or cleanse the condition; and, after reasonable notice to the owners or occupants, to authorize such work to be done by the proper officers and to assess the expense thereof against such property, making it collectible by taxes or against the occupant or occupants.

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

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

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

(26) *Franchises.* To grant and regulate franchises to water companies, electric light companies, gas companies, telegraph and telephone companies, transit companies, taxicab companies, and any others which may be deemed advantageous and beneficial to the Town, subject, however, to the limitations and provisions of the Local Government Article of the Annotated Code of Maryland. No franchise shall be granted for a longer period than 50 years.

(27) *Gambling.* To restrain and prohibit gambling.

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

(29) *Grants-in-aid.* To accept gifts and grants of Federal or State funds from the Federal or State governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made.

(30) *Hawkers.* To license, tax, regulate, suppress, and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers, and all other persons selling any articles on the streets of the Town, and to revoke such licenses for cause.

(31) *Health.* To protect and preserve the health of the Town and its inhabitants; to appoint a public health officer, and to define and regulate his powers and duties; to prevent the introduction of contagious diseases into the Town; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate, and abate any buildings, structures, or places which cause or may cause unsanitary conditions or conditions detrimental to health; that nothing herein shall be construed to affect in any manner any of the powers and duties of the State Board of Health, the County Board of Health, or any public general or local law relating to the subject of health.

(32) *House numbers.* To regulate the numbering of houses and lots and to compel owners to renumber the same or in default thereof to authorize and require the same to be done by the Town at the owner's expense, such expense to constitute a lien upon the property, to be collected in the same manner as municipal taxes are collected.

(33) *Jail.* To establish and regulate a station house or lock-up for temporary confinement of violators of the laws and ordinances of the Town or to use the county jail for such purpose.

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

(35) *Liens.* To provide that any valid charges, taxes, or assessments made against any real property within the Town shall be liens upon such property, to be collected in the same manner as municipal taxes are collected.

(36) *Lights.* To provide for the lighting of the Town.

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

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

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

(40) *Noise.* To regulate or prohibit unreasonable ringing of bells, crying of goods, or sounding of whistles and horns.

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

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

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

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

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

(46) *Police force.* To establish, operate, and maintain a police force. All Town policemen shall, within the municipality, have the powers and authority of sheriffs in this State.

(47) *Police powers.* To prohibit, suppress, and punish within the Town all vice, gambling, and games of chance; prostitution and solicitation therefor and the keeping of bawdy

houses and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity, and drunkenness.

(48) *Property.* To acquire by conveyance, purchase, or gift, real or leasable property for any public purposes; to erect buildings and structures thereon for the benefit of the Town and its inhabitants; and to convey any real or leasehold property when no longer needed for the public use, after having given at least 20 days' public notice of the proposed conveyance; to control, protect, and maintain public buildings, grounds, and property of the Town.

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

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

(51) *Sidewalks.* To regulate the use of sidewalks and all structures in, under or above the same; to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow or other obstructions; to prescribe hours for cleaning sidewalks.

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

(53) *Taxicabs.* To license, tax, and regulate public hackmen, taxicab men, draymen, drivers, cabmen, porters, and expressmen, and all other persons pursuing like occupations.

(54) *Vehicles.* To regulate and license wagons and other vehicles not subject to the licensing powers of the State of Maryland.

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

(56) *Zoning.* To exercise the powers as to planning and zoning conferred upon municipal corporations generally in the Land Use Article of the Annotated Code of Maryland, subject to the limitations and provisions of said Article. (Res., June 14, 1966, sec. 10; Charter Amendment Resolution No. 2015-01, 10-7-15; Charter Amendment Resolution No. 2016-01, 6-1-16.)

Section 3-2. Exercise of powers.

For the purpose of carrying out the powers granted in this subtitle or elsewhere in this Charter, the Commission may pass all necessary ordinances. All the powers of the Town and the Commission shall be exercised in the manner prescribed by this Charter, or, if the manner be not

prescribed, then in such manner as may be prescribed by ordinance. (Res., June 14, 1966, sec. 11; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 3-3. Enforcement of ordinances; penalties.

(a) Unless otherwise expressly provided, a violation of a Town ordinance shall be a misdemeanor. The Commission may declare that a violation of a Town ordinance shall be a municipal infraction, unless that violation is declared to be a felony by State law or other ordinance, and affix penalties thereto not to exceed the maximum penalty for a municipal infraction prescribed by State law. For purposes of this section, a municipal infraction is a civil offense.

(b) Every act or omission which is made a misdemeanor under the authority of this Charter, unless otherwise provided, shall be punishable upon conviction by a fine and/or imprisonment, not to exceed the maximum misdemeanor penalty prescribed by State law.

(c) A party found guilty of a misdemeanor shall have the right to appeal to the extent provided by State law. Any person receiving a citation for a municipal infraction may choose to stand trial for the infraction in the manner prescribed by State law.

(d) In cases of misdemeanors, where the act or omission is of a continuing nature and is persisted in, a conviction for one offense shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

(e) In cases of municipal infractions, each day a violation continues shall constitute a separate offense. (Res., June 11, 1966, sec. 83; Res. No. 01-05, 12-4-01; Charter Amendment Resolution No. 2015-01, 10-7-15.)

ARTICLE IV

Registration, Nominations, and Elections

Section 4-1. Voters.

Every person who is a citizen of the United States, is at least 18 years of age, is a resident of Maryland that has resided continuously within the corporate limits of Sudlersville for at least six months preceding any Town election, and is registered in accordance with the provisions of this Charter shall be a qualified voter of the Town. (Res., June 11, 1966, sec. 14; Res., 5-2-73; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-2. Election duties.

The Clerk-Treasurer shall be in charge of receiving nominations, certifying candidates, conducting Town elections, and certifying election results. The Commission may appoint election clerks or other individuals to assist in these duties. If the Clerk-Treasurer is unable to perform the election duties prescribed in this Charter because of a conflict of interest, then the Commission

may, at its discretion, assign such duties to others. (Res., June 11, 1966, sec. 15; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-3. Notice of elections.

The Clerk-Treasurer shall give at least two weeks' advance notice of every registration day and every election by an advertisement published at least once in at least one newspaper of general circulation in the Town and by posting a notice in some public place or places in the Town and on the Town's website. (Res., June 11, 1966, sec. 16; Charter Amendment Resolution No. 2015-01, 10-7-15; Charter Amendment Resolution No. 2016-01, 6-1-16.)

Section 4-4. Registration.

(a) Provided that persons meet the voter qualifications enumerated in this Charter, registration to vote by the Queen Anne's County Board of Elections and/or the State Board of Elections shall be deemed registration for Town elections and the Clerk-Treasurer shall accept the list of registered voters provided by the Queen Anne's County Board of Elections and/or the State Board of Elections as a valid registration list for the Town. County voter registration forms shall be made available at the Town Office during normal business hours.

(b) The Town shall maintain a supplemental registration list for voters who choose not to register with the County. The Commission, by ordinance, shall adopt and enforce any provisions necessary to establish and maintain a system of permanent supplemental registration and provide for re-registration when necessary. The Clerk-Treasurer shall keep up the supplemental registration lists up to date by striking from the lists any persons who have died, moved out of the Town, or not voted in a Town election within the preceding five calendar years.

(c) No person shall be entitled to vote in a Town election unless he/she is duly registered to vote at least 30 days prior to that election. (Res., June 11, 1966, sec. 17; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-5. Appeals.

If any person shall feel aggrieved by the action of the Clerk-Treasurer in refusing to register or on striking off the name of any person, or by any other action, such person may appeal to the Commission. Any decision or action of the Commission upon such appeals may be appealed to the Circuit Court for Queen Anne's County within 30 days of the decision or action of the Commission. (Res., June 11, 1966, sec. 18; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-6. Nominations.

Persons may be nominated for elective office in the Town by filing a certificate of nomination signed by five registered voters in the Town. Such certificate shall state the following: (1) the office for which the candidate is seeking the nomination, (2) the name of the candidate, (3) a statement that the signers of the certificate are registered voters, and (4) the signers support the

nomination of the named candidate. The certificate shall be filed with the Clerk at least 30 calendar days prior to the election. No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at any one time. Provision is hereby also made for any voter to write in the name on the ballot of any other qualified person for Commissioner. (Res., June 11, 1966, sec. 19; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-7. Election of Commissioners.

(a) On the third Monday of May, the voters of the Town shall elect either one or two persons, as the case may be, to succeed any Commissioner whose term is expiring. In the year 2006, and every three years thereafter, one Commissioner shall be elected. In the years 2007 and 2008, and every three years thereafter, two Commissioners shall be elected.

(b) If, on the day immediately following the deadline for filing certificates for nomination for the office of Commissioner, the number of duly-qualified candidates for the office of Commissioner is equal to the number of vacancies in such office, then no election shall be held on the third Monday of May and all such candidates shall assume the office of Commissioner on the day immediately following the expiration of the fourth Monday of May. (Res., June 11, 1966, sec. 20; Res. 2005-04, 7-27-05; Charter Amendment Resolution No. 2015-01, 10-7-15; Charter Amendment Resolution No. 2016-01, 6-1-16.)

Section 4-8. Same; conduct.

It shall be the duty of the Clerk-Treasurer to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind. The Clerk-Treasurer shall keep the polls open from 1:00 p.m. until 7:00 p.m. on election days or for longer hours if the Commission requires it. (Res., June 11, 1966, sec. 21; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-9. Absentee voting.

The Clerk-Treasurer shall make provisions for an absentee ballot for those persons who are qualified to vote and may be unavoidably absent from the Town for any reason on election day or for those persons who are qualified to vote and whose physical disability will prevent them from being present at the polls on election day.

(a) A qualified voter of the Town desiring to vote at any Town election as an absentee voter shall make application in writing to the Clerk-Treasurer for an absentee ballot. An application for an absentee ballot must be received by the close of business on the Monday seven days prior to election day. After such deadline, a late application must be completed in person at the Clerk-Treasurer's office in the Town Office during normal business hours.

(b) Upon receipt of said application, the Clerk–Treasurer shall promptly mail or deliver a ballot to the qualified applicant which shall be marked at the top “absentee ballot.” Underneath these words shall be printed the following instructions:

“Mark ballot by placing an “X” in proper blank after each candidate question.”

(c) Two envelopes shall be provided with absentee ballots:

(1) Return envelope. One envelope shall be known as the “return envelope” and shall be addressed to Clerk–Treasurer, Town of Sudlersville, 200 South Church Street, Sudlersville, Maryland 21668.

(2) Ballot envelope. The other envelope shall be known as the “ballot envelope” and shall contain the Town absentee ballot.

(d) All absentee ballots must be received by the Clerk–Treasurer not later than the closing of the polls on election day. Ballots not received prior to such closing will not be counted.

(e) No ballot envelopes shall be opened or unfolded prior to the closing of the polls and the beginning of tabulation of all ballots. Candidates or their designee may be present for the tabulation of ballots. (Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 4–10. Special elections.

All special Town elections shall be conducted by the Clerk–Treasurer in the same manner and with the same personnel, as far as practicable, as regular Town elections. (Res., June 11, 1966, sec. 22; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 4–11. Vote count.

(a) Within 12 hours after the closing of the polls, the Clerk–Treasurer shall determine the vote cast for each candidate or question, certify the results of the election to the Commission, and record the results in the minutes of the Commission. The candidate(s) for Commissioners with the highest number of votes in the general election shall be declared elected.

(b) In the event of a tie vote between any candidates, there shall be a special runoff election between the tied candidates, to be held as soon as is practicable following the election. (Res., June 11, 1966, sec. 23; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 4–12. Preservation of ballots.

All ballots used in any Town election shall be preserved for at least six months from the date of the election. (Res., June 11, 1966, sec. 24; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 4-13. Vacancies.

In case of a vacancy on the Commission for any reason, the Commission shall elect some qualified person to fill such vacancy for the unexpired term. Any vacancies on the Commission shall be filled by the favorable votes of a majority of the remaining members of the Commission. The results of any such vote shall be recorded in the minutes of the Commission. (Res., June 11, 1966, sec. 25; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 4-14. Control of elections.

The Commission shall have the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of registration, nomination, and Town elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud. (Res., June 11, 1966, sec. 27; Charter Amendment Resolution No. 2015-01, 10-7-15.)

ARTICLE V

Finance

Section 5-1. Clerk-Treasurer.

There shall be a Clerk-Treasurer appointed by the Commission who shall serve at the pleasure of the Commission and whose compensation shall be determined by the Commission. The Clerk-Treasurer shall be the chief financial officer of the Town. The financial powers of the Town, except as otherwise provided by this Charter, shall be exercised by the Clerk-Treasurer under the direct supervision of the Commission. (Res., June 11, 1966, sec. 29; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-2. Same; powers and duties.

Under the supervision of the Commission, the Clerk-Treasurer shall have the authority and shall be required to:

- (a) Prepare at the request of the Commission an annual budget to be submitted to the Commission.
- (b) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to assure that budget appropriations are not exceeded.
- (c) Maintain a general accounting system for the Town in such form as the Commission may require, not contrary to State law.
- (d) Submit at the end of each fiscal year, and at such other times as the Commission may require, a complete financial report to the Commission.

- (e) Ascertain that all taxable property within the Town is assessed for taxation.
- (f) Collect all taxes, special assessments, license fees, liens, and all other revenues (including utility revenues) of the Town, and all other revenues for whose collection the Town is responsible, and receive any funds receivable by the Town.
- (g) Have custody of all public monies, belonging to or under the control of the Town, except as to funds in the control of any set of trustees, and have custody of all bonds and notes of the Town.
- (h) Do such other things in relation to the fiscal or financial affairs of the Town as the Commission may require or as may be required elsewhere in this Charter. (Res., June 11, 1966, sec. 30; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-3. Same; surety bond.

The Clerk-Treasurer shall execute a bond, at the expense of the Town, with such corporate surety, in such amount and with such conditions as the Commission by resolution may require. (Res., June 11, 1966, sec. 31; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-4. Fiscal year.

The Town shall operate on an annual budget. The fiscal year of the Town shall begin on the first day of July of each year and shall end on the last day of June. Such fiscal year shall constitute the tax year, the budget year, and the accounting year. (Res., June 11, 1966, sec. 32; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-5. Budget.

The Clerk-Treasurer, on such date as the Commission by ordinance shall determine, but at least 32 days before the beginning of any fiscal year, shall submit a proposed budget to the Commission. The proposed budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year. The total of the anticipated revenues shall equal or exceed the total of the proposed expenditures. The proposed budget shall be a public record in the office of the Clerk-Treasurer, open to public inspection by anyone during normal business hours. (Res., June 11, 1966, sec. 33; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-6. Same; adoption.

Before adopting the proposed budget, the Commission shall hold a meeting thereon. The Commission may insert new items or may increase or decrease the items of the proposed budget. Where the Commission shall increase the total proposed expenditures, it shall also increase the total anticipated revenues in any amount at least equal to such total proposed expenditures. The final budget shall be prepared and adopted in the form of a resolution. A favorable vote of at least

a majority of the total elected membership of the Commission shall be necessary for adoption. (Res., June 11, 1966, sec. 34; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-7. Appropriations.

No public money may be expended without having been appropriated by the Commission. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein. (Res., June 11, 1966, sec. 35; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-8. Transfer of funds.

Any transfer of funds between major appropriations for different purposes must be approved by three-fifths of the entire Commission before becoming effective. (Res., June 11, 1966, sec. 36; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-9. Amendments after adoption of budget.

(a) *Supplemental appropriations.* If, during the fiscal year, the Clerk-Treasurer certifies that there are available for appropriation revenues in excess of those estimated in the budget, then the Commission may make supplemental appropriations for the year up to the amount of such excess.

(b) *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the Commission may make emergency appropriations by emergency ordinance in accordance with this Charter.

(c) *Transfer of funds.* Any transfer of funds between major appropriations for different purposes must be approved by the Commission before becoming effective.

(d) *Procedure.* The authorization of supplemental and emergency appropriations or transfer of funds shall require a three-fifths vote of the entire Commission, in accordance with State law. (Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-10. Over-expenditures.

No officer or employee shall during any budget year expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money for any purpose, in excess of the amounts appropriated for or transferred to that general classification of expenditure pursuant to this Charter. Any contract, verbal or written, made in violation of this Charter shall be null and void. Nothing in this Charter contained, however, shall prevent the making of contracts or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law. (Res., June 11, 1966, sec. 37; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-11. Appropriations lapse.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered. Any unexpended and unencumbered funds shall be considered a surplus at the end of the budget year and shall be included among the anticipated revenues for the next succeeding budget year. (Res., June 11, 1966, sec. 38; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-12. Checks.

All checks issued in payment of salaries or other municipal obligations shall be issued by the Clerk-Treasurer and shall be signed by the President of the Commission and one other Commissioner. If the President is unavailable, then any such check may be signed by any two Commissioners. (Res., June 11, 1966, sec. 39; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-13. Taxable property.

All real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes. No authority is given by this section to impose taxes on any property which is exempt from taxation by any Act of the General Assembly. (Res., June 11, 1966, sec. 40; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-14. Budget authorizes levy.

From the effective date of the budget, the amount stated therein as the amount to be raised by the property tax shall constitute a determination of the amount of the tax levy in the corresponding tax year. (Res., June 11, 1966, sec. 41; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-15. Notice of levy.

Immediately after the levy is made by the Commission in each year, the Clerk-Treasurer shall give notice of the making of the levy by posting a notice thereof in some public place or places in the Town. He shall make out and mail or deliver in person to each taxpayer or his agent at his last known address a bill or account of the taxes due from him. This bill or account shall contain a statement of the amount of real and personal property with which the taxpayer is assessed, the rate of taxation, the amount of taxes due, and the date on which the taxes will bear interest. Failure to give or receive any notice required by this section shall not relieve any taxpayer of the responsibility to pay on the dates established by this Charter all taxes levied on his property. (Res., June 11, 1966, sec. 42; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5–16. Taxes; when overdue.

The taxes provided for in this Charter shall be due and payable as provided in the Tax – Property Article of the Annotated Code of Maryland, as amended from time to time, and shall be overdue and in arrears as provided in that article. Taxes shall bear interest while in arrears and shall be subject to additional penalties as authorized by State law. Any interest or penalty rates to be imposed by the Commission shall be established by ordinance. All taxes not paid and in arrears one year after the date on which they are due and payable shall be collected as provided for in this Charter. (Res., June 11, 1966, sec. 43; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 5–17. Same; collection.

A list of all properties on which the Town taxes have not been paid and which are in arrears as provided in this Charter shall be turned over by the Clerk–Treasurer to the Queen Anne’s County officials responsible for the sale of tax–delinquent property as provided by State law. All property listed thereon shall, if necessary, be sold for taxes by such County official in the manner prescribed by State law. (Res., June 11, 1966, sec. 44; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 5–18. Fees.

All fees received by an officer or employee of the Town government in his official capacity shall belong to the Town government and be accounted for to the Town. (Res., June 11, 1966, sec. 45; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 5–19. Audits.

The financial books and accounts of the Town shall be audited annually. (Res., June 11, 1966, sec. 46; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 5–20. Borrowing power.

(a) The Town shall have the power to borrow money for any proper public purpose including, without limitation, in anticipation of the receipt of current taxes, and to evidence any such borrowing by the issuance and sale of its general obligation bonds, notes, or other evidences of indebtedness in the manner prescribed in this Section.

(b) As determined by or provided for in the authorizing ordinance or resolution of the Commission, the general obligation bonds, notes, or other evidences of indebtedness of the Town may be issued and sold:

(1) By private (negotiated) sale without advertisement or solicitation of competitive bids at public sale after publication or dissemination of the notice of sale;

(2) For a price or prices which may be at, above, or below the par value of the bonds, notes, or other evidences of indebtedness;

(3) At a rate of interest or rates of interest that may be fixed or variable or may be determined by a method approved or provided for by the Commission; or

(4) For cash or other valuable consideration.

(c) The ordinance or resolution that authorizes the general obligation bonds, notes, or other evidences of indebtedness may provide for their redemption prior to maturity at such price or prices at, above, or below par value as determined or provided for by the Commission and for the manner of publishing or otherwise giving notice of such redemption.

(d) The Town may enter into agreements with agents, banks, fiduciaries, insurers, or others for the purpose of enhancing the transferability or marketability of or as security for the general obligation bonds, notes, or other evidences of indebtedness and for securing any tender option granted to holders thereof.

(e) The official signatures and seals affixed to any of the general obligation bonds, notes, or other evidences of indebtedness may be imprinted in facsimile.

(f) In connection with any sale of general obligation bonds, notes, or other evidences of indebtedness by the solicitation of competitive bids at public sale, any such competitive bids may be delivered by electronic and/or facsimile means and/or by any other then-commercially reasonable manner for the sale of municipal obligations at competitive bid. Any notice of sale may be published solely in summary form in a newspaper of general circulation in the Town and/or in a generally recognized financial journal, such as *The Bond Buyer*. Any notice of sale may also be disseminated solely in electronic form and/or by any other then-commercially reasonable manner for the sale of municipal obligations, as determined or provided for by the Commission, by ordinance or resolution.

(g) Any resolution adopted by the Commission pursuant to this Section may be introduced and adopted in a single session and shall not be subject to referendum by petition, notwithstanding the provisions of any other Section of this Charter.

(h) In connection with the authorization of its general obligation bonds, notes, or other evidences of indebtedness, the Town, by ordinance or resolution of the Commission, may pledge to the payment thereof, or provide that such obligations shall be payable in the first instance from, any other sources of revenue available to the Town (Res., June 11, 1966, sec. 47; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-21. Same; payment of indebtedness.

The issuance and sale of general obligation bonds, notes, or other evidences of indebtedness authorized by this Charter, shall constitute a pledge of the full faith and credit of the Town to the prompt payment, when due, of the principal of and interest on such general obligation

bonds, notes, or other evidences of indebtedness from ad valorem taxes and such other revenues as may be described in the authorizing ordinance or resolution. The maturing principal of and interest on any indebtedness may be paid, in whole or in part, from the proceeds of such benefit assessments or charges, or any combination thereof, as the Commissioners may impose and collect during the life of said indebtedness, the power and authority so to do being hereby specifically granted where appropriate to the public purpose for which said indebtedness may be issued, notwithstanding any limitation contained in this Charter or in any other law; but, in any event, the Town shall, if and when necessary, annually levy upon all property subject to taxation within its corporate limits ad valorem taxes sufficient to provide for the payment when due of the maturing principal of and interest on any such indebtedness, without limitation as to rate or amount, notwithstanding the limitation of any other law, and the issuance and sale of any such indebtedness shall constitute a covenant to that effect. (Res., June 11, 1966, sec. 48; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-22. Same; notes or other evidences of indebtedness.

The Town shall also have the power to borrow any sum or sums not to exceed in the aggregate of \$100,000.00 and to issue bonds, notes, or other evidences of indebtedness for such borrowing. This money may be borrowed and expended for any municipal purpose. Said bonds, notes, or other evidences of indebtedness may be sold at private sale without advertisement or publication of notice of sale of solicitation of competitive bids. The bonds, notes, or other evidences of indebtedness shall be sold as provided by the Commission. All bonds, notes, or other evidences of indebtedness issued under the provisions of this section shall be paid from the taxes levied for the general purposes of the Town or from sums due the Town from the state or county government. The levying or collecting of any special tax for the payment of these bonds, notes, or other evidences of indebtedness is expressly prohibited. The bonds, notes, or other evidences of indebtedness issued under the provisions of this section need not be submitted to a vote of the qualified voters of the Town and shall not be deemed to be included under any bond limit established by this Charter. (Res., 3-26-85; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-23. Same; prior issues.

All general obligation bonds, notes, or other evidences of indebtedness validly issued by the Town previous to the effective date of this Charter and all ordinances and resolutions passed concerning them are hereby declared to be valid, legal, and binding and of full force and effect as if herein fully set forth. (Res., June 11, 1966, sec. 49; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 5-24. Purchases and contracts.

All purchases and contracts for the Town government shall be made by the Clerk-Treasurer. The Commission may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts. (Res., June 11, 1966, sec. 50; Charter Amendment Resolution No. 2015-01, 10-7-15.)

ARTICLE VI Personnel

Section 6-1. Clerk to the Commission.

The Clerk-Treasurer shall serve as Clerk to the Commission. He/she shall attend every meeting of the Commission and keep full and accurate account of the proceedings of the Commission. He/she shall keep such other records and perform such other duties as may be required by this Charter or the Commission. (Res., June 11, 1966, sec. 51; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 6-2. Town attorney.

The Commission may appoint a Town attorney. The Town attorney shall be a member of the bar of the Maryland Court of Appeals. The Town attorney shall be the legal adviser of the Town and shall perform such duties in this connection as may be required by the Commission. His/her compensation shall be determined by the Commission. The Town shall have the power to employ such legal consultants as it deems necessary from time to time. (Res., June 11, 1966, sec. 52; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 6-3. Employees.

The Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the Town government. (Res., June 11, 1966, sec. 53; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 6-4. Retirement system.

The Town shall have the power to do all things necessary to include its officers and employees, or any of them, within any retirement system or pension system under the terms of which they are admissible, and to pay the employer's share of the cost of any such retirement or pension system out of the general funds of the Town. (Res., June 11, 1966, sec. 54; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 6-5. Employees; compensation.

The compensation of all officers and employees of the Town shall be set from time to time by a majority vote of the Commission, subject to the restrictions imposed upon establishing the salaries of the Commission. (Res., June 11, 1966, sec. 55; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 6–6. Same; benefit programs.

The town is authorized and empowered to provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees, and to expend public monies of the town for such programs. (Res., June 11, 1966, sec. 56; Charter Amendment Resolution No. 2015–01, 10–7–15.)

ARTICLE VII

Public Ways and Sidewalks

Section 7–1. Definition.

The term “public ways” as used in this Charter shall include all streets, avenues, roads, highways, public thoroughfares, lanes, and alleys. (Res., June 11, 1966, sec. 57; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 7–2. Control.

The Town shall have control of all public ways of the Town. Subject to the laws of the State of Maryland and this Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town. (Res., June 11, 1966, sec. 58; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 7–3. Powers.

The Town shall have the power:

- (a) To establish, regulate, and change from time to time the grade lines, width, and construction materials of any public way or part thereof, bridge, curbs, and gutters.
- (b) To grade, lay out, construct, open, extend, and make new public ways.
- (c) To grade, straighten, widen, alter, improve, or close up any existing public way or part thereof.
- (d) To pave, surface, repave, or resurface any public way or part thereof, and to provide for all necessary removal therefrom of snow, ice and debris.
- (e) To install, construct, reconstruct, repair and maintain curbs and/or gutters along any public way or part thereof.
- (f) To construct, reconstruct, maintain, and repair bridges.
- (g) To name public ways.

(h) To have surveys, plans, specifications, and estimates made for any of the above activities or projects or parts thereof. (Res., June 11, 1966, sec. 59; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 7-4. Sidewalks.

The Town shall have the power:

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

(b) To grade, lay out, construct, reconstruct, pave, repave, repair, extend, or otherwise alter sidewalks along any public way or part thereof.

(c) To require that the owners of any property abutting on a sidewalk keep the sidewalk clear of all ice, snow, and other obstructions.

(d) To require and order the owner of any property abutting on any public way in the Town to perform any projects authorized by this section at the owner's expense according to reasonable plans and specifications. If, after due notice the owner fails to comply with the order within a reasonable time, the Town may do the work, and the expense shall be a lien on the property and shall be collectible in the same manner as municipal taxes are collected or by suit at law. (Res., June 11, 1966, sec. 60; Charter Amendment Resolution No. 2015-01, 10-7-15.)

ARTICLE VIII

Water and Sewers

Section 8-1. Powers.

The Town shall have the power to acquire, establish, design, construct, reconstruct, expend, extend, alter, improve, operate, maintain and repair a water supply and distribution system, a sanitary sewer system, a storm water drainage system and a sanitary disposal plant, system or stabilization lagoon, within or without the corporate limits of the Town, and to take any and all action necessary or appropriate thereto, including the making of surveys, plans, specifications and estimates. The Town may by ordinance regulate the use and operation of any such plant or system or part thereof in any manner it deems to be in the public interest. (Res., June 11, 1966, sec. 61; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 8-2. Structures in public ways.

Any public service corporation, company, or individual, before beginning any construction of or placing of or changing the location of any main, conduit, pipe, or other structure in the public ways of the Town, shall submit plans to the Town and obtain written approval upon such conditions and subject to such reasonable limitations as may be imposed by the Town. Any public service corporation, company, or individual violating the provisions of this section shall be guilty

of a misdemeanor. If any unauthorized main, conduit, pipe or other structure interferes with the operation of the water, sewerage, or storm water systems, the Town may order it removed. (Res., June 11, 1966, sec. 62; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 8-3. Obstructions.

All individuals, firms, or corporations having mains, pipes, conduits, or other structures, in, on, or over any public way in the Town or in the county which impede the establishment, construction, or operation of any Town sewer or water main shall, upon reasonable notice, remove or adjust the obstructions at their own expense to the satisfaction of the Town. If necessary to carry out the provisions of this section, the Town may use its condemnation powers provided for in this Charter. Any violation of an ordinance passed under the provisions of this section may be made a misdemeanor. (Res., June 11, 1966, sec. 63; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 8-4. Entering county public ways.

The Town may enter upon or do construction in, on, or over any public way for the purpose of installing or repairing any equipment or doing any other things necessary to establish, operate, and maintain the water system, water plant, sanitary sewerage system, sewage treatment plant, or storm water sewers provided for in this Charter. (Res., June 11, 1966, sec. 64; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 8-5. Water and sewer connections.

The Town shall provide a connection with water and sanitary sewer mains for all property abutting any public way in which a water or sanitary sewer main is laid. When any water or sanitary sewer main is declared ready for operation by the Town, all abutting property owners, after reasonable notice, shall connect all fixtures with the main. The Town shall require that, if it considers existing fixtures unsatisfactory, satisfactory ones be installed and shall require that all cesspools, sink drains, and privies be abandoned, filled, removed, or left in such a way as not to injure public health. All wells found to be polluted or a menace to health shall be ordered to be abandoned and closed. (Res., June 11, 1966, sec. 65; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 8-6. Same; charge.

The Town may charge for each connection made to its water and sanitary sewer mains. The amount of the charge shall be determined by the Commission from time to time by ordinance and shall be uniform throughout the Town. Arrangements for the payment of this charge shall be made before the connection is made. (Res., June 11, 1966, sec. 66; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 8–7. Improper uses of systems.

In order to prevent any leakage or waste water or other improper use of the Town's water system or sewage disposal system, the Town may require such changes in plumbing, fixtures, or connections as it deems necessary to prevent such waste or improper use. (Res., June 11, 1966, sec. 67; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 8–8. Private systems.

The Town may provide that no water supply, sewerage, or storm water drainage system, and no water mains, sewers, drains, or connections therewith, shall be constructed or operated by any person or persons, firm, corporation, institution, or community, whether upon private premises or otherwise. The Town may provide that cesspools or other private methods of sewage disposal shall be operated and maintained in such a manner that they do not and will not be likely to affect adversely the public comfort and health. Any cesspool or other private method of sewage disposal affecting or likely to affect adversely the public comfort and health may be deemed a nuisance and may be abated by the Town. (Res., June 11, 1966, sec. 68; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 8–9. Extensions beyond boundaries.

The Town shall have the power to extend its water or sewerage systems beyond the Town limits. (Res., June 11, 1966, sec. 69; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 8–10. Right of entry.

Any employee or agent of the Town, while in the necessary pursuit of his official duties with regard to the water or sewage disposal systems operated by the Town, shall have the right of entry, for access to water or sewer installations, at all reasonable hours, and after reasonable advance notice to the owner, tenant, or person in possession, upon any premises and into any building in the Town or in the county served by the Town's water or sewage disposal system. (Res., June 11, 1966, sec. 70; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 8–11. Pollution of water supply.

No person shall do anything which will discolor, pollute, or tend to pollute any water used or to be used in the Town water supply system. (Res., June 11, 1966, sec. 71; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 8–12. Contracts for water, sewers.

The Town, if it deems it advisable, may contract with any party or parties, inside or outside the Town, to obtain water or to provide for the removal of sewage. (Res., June 11, 1966, sec. 72; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 8–13. Charges for services.

The Town shall have the power to charge and collect such service rates, water rents, ready-to-serve charges, and other charges as it deems necessary for water supplied and for the removal of sewage and any and all other charges as it is empowered to make under County, State or federal law. These charges are to be billed and collected by the Clerk–Treasurer, and if bills are unpaid within 30 days, the service may be discontinued. All charges shall be a lien on the property served, collectible in the same manner as municipal taxes are collected or by suit at law. (Res., June 11, 1966, sec. 73; Charter Amendment Resolution No. 2015–01, 10–7–15.)

ARTICLE IX

Special Assessments

Section 9–1. Powers.

The Town shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon such property by the installation or construction of (See note (3)) water mains, sanitary sewer mains, storm water sewers, curbs, and gutters and by the construction and paving of public ways and sidewalks or parts thereof, and to provide for the payment of all or any part of the above projects out of the proceeds of such special assessments. The cost of any project to be paid in whole or in part by special assessments may include the direct cost thereof, the cost of any land acquired for the project, the interest on bonds, notes, or other evidences of indebtedness issued in anticipation of the collection of special assessments, a reasonable charge for the services of the administrative staff of the Town, and any other item of cost which may reasonably be attributed to the project. (Res., June 11, 1966, sec. 74; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 9–2. Procedure.

The Commission shall establish the procedures for special assessments by ordinance. (Res., June 11, 1966, sec. 75; Charter Amendment Resolution No. 2015–01, 10–7–15.)

ARTICLE X

Town Property

Section 10–1. Acquisition; possession; disposal.

The Town may acquire real, personal, or mixed property within the corporate limits of the Town for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Town. All municipal property, funds, and franchises of every kind belonging to or in the possession of the Town (by whatever prior name known) at the time this Charter becomes effective are vested in the Town, subject to the terms and conditions thereof. (Res., June 11, 1966, sec. 76; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 10–2. Condemnation.

The Town shall have the power to condemn property of any kind, or interest therein of (See note (3)) any franchise connected therewith, in fee or as an easement, within the corporate limits of the Town, for any public purpose. Any activity, project, or improvement authorized by the provisions of this Charter or any other State law applicable to the Town shall be deemed to be a public purpose. The manner of procedure in case of any condemnation proceedings shall be in accordance with State law. (Res., June 11, 1966, sec. 77; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 10–3. Town buildings.

The Town shall have the power to acquire, to obtain by lease or rent, to purchase, construct, operate, and maintain all buildings and structures it deems necessary for the operation of the Town government. (Res., June 11, 1966, sec. 78; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 10–4. Protection of Town property.

The Town shall have the power to do whatever may be necessary to protect Town property and to keep all Town property in good condition. (Res., June 11, 1966, sec. 79; Charter Amendment Resolution No. 2015–01, 10–7–15.)

ARTICLE XI

Miscellaneous

Section 11–1. Oath of office.

(a) *Text.* Before entering upon the duties of their offices, the Commissioners, shall take the following oath or affirmation: “I,, do swear (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Commissioner of Sudlersville, according to the Constitution and Laws of this State.”

(b) *How taken.* The Commissioners shall each take this oath or affirmation before a notary public or other officer authorized to administer oaths in the State of Maryland, who shall certify to the Clerk–Treasurer that such oath has been administered, which certification shall be filed and recorded in the journal of the proceeding of said Commission. (Res., June 11, 1966, sec. 80; Charter Amendment Resolution No. 2015–01, 10–7–15.)

Section 11-2. Surety bonds.

Such other officers or employees of the Town as the Commission or this Charter may require shall execute a bond in such amount, with such surety and with such conditions as may be required by the Commission. The premiums on such bonds shall be paid by the Town. (Res., June 11, 1966, sec. 81; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 11-3. Prior rights and obligations.

All right, title, and interest held by the Town or any other person or corporation at the time this Charter is adopted, in and to any lien acquired under any prior Charter of the Town, are hereby preserved for the holder in all respects as if this Charter had not been adopted, together with all rights and remedies in relation thereto. This Charter shall not discharge, impair, or release any contract, obligation, duty, liability, or penalty whatsoever existing at the time this Charter becomes effective. All suits and actions, both civil and criminal, pending, or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance repealed by this Charter, shall be instituted, proceeded with, and prosecuted to final determination and judgment as if this Charter had not become effective. (Res., June 11, 1966, sec. 82; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 11-4. Effect of Charter on existing ordinances.

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

(b) *In conflict.* All ordinances, resolutions, rules, and regulations in effect in the Town at the time this Charter becomes effective which are in conflict with the provisions of this Charter be and the same hereby are repealed to the extent of such conflict. (Res., June 11, 1966, sec. 84; Charter Amendment Resolution No. 2015-01, 10-7-15.)

Section 11-5. Separability.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid shall appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply. (Res., June 11, 1966, sec. 85; Charter Amendment Resolution No. 2015-01, 10-7-15.)

APPENDIX I

Urban Renewal Authority for Slum Clearance

A1-101. Definitions.

- (a) In this appendix the following words have the meanings indicated.
- (b) “Blighted area” means an area or single property in which the building or buildings have declined in productivity by reason of obsolescence, depreciation, or other causes to an extent they no longer justify fundamental repairs and adequate maintenance.
- (c) “Bonds” means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.
- (d) “Federal government” means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.
- (e) “Municipality” means the Town of Sudlersville.
- (f) “Person” means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic. It includes any trustee, receiver, assignee, or other person acting in similar representative capacity.
- (g) “Slum area” means any area or single property where dwellings predominate which, by reason of depreciation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitary facilities, or any combination of these factors, are detrimental to the public safety, health, or morals.
- (h) “Urban renewal area” means a slum area or a blighted area or a combination of them which the municipality designates as appropriate for an urban renewal project.
- (i) “Urban renewal plan” means a plan, as it exists from time to time, for an urban renewal project. The plan shall be sufficiently complete to indicate any land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum density, and building requirements.
- (j) “Urban renewal project” means undertakings and activities of a municipality in an urban renewal area for the elimination and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part of them in accordance with an urban renewal plan. These undertakings and activities may include:
 - (1) Acquisition of a slum area or a blighted area or portion of them;

- (2) Demolition and removal of buildings and improvements;
- (3) Installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the urban renewal objectives of this appendix in accordance with the urban renewal plan;
- (4) Disposition of any property acquired in the urban renewal area, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan;
- (5) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;
- (6) Acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; and
- (7) The preservation, improvement, or embellishment of historic structures or monuments.

A1-102. Powers.

- (a) The municipality may undertake and carry out urban renewal projects.
- (b) These projects shall be limited:
 - (1) To slum clearance in slum or blighted areas and redevelopment or the rehabilitation of slum or blighted areas;
 - (2) To acquire in connection with those projects, within the corporate limits of the municipality, land and property of every kind and any right, interest, franchise, easement, or privilege, including land or property and any right or interest already devoted to public use, by purchase, lease, gift, condemnation, or any other legal means; and
 - (3) To sell, lease, convey, transfer, or otherwise dispose of any of the land or property, regardless of whether or not it has been developed, redeveloped, altered, or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public, or quasi-public corporation, partnership, association, person, or other legal entity.
- (c) Land or property taken by the municipality for any of these purposes or in connection with the exercise of any of the powers which are granted by this appendix to the municipality by exercising the power of eminent domain may not be taken without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to the compensation.

(d) All land or property needed or taken by the exercise of the power of eminent domain by the municipality for any of these purposes or in connection with the exercise of any of the powers granted by this appendix is declared to be needed or taken for public uses and purposes.

(e) Any or all of the activities authorized pursuant to this appendix constitute governmental functions undertaken for public uses and purposes and the power of taxation may be exercised, public funds expended, and public credit extended in furtherance of them.

A1-103. Additional powers.

The municipality has the following additional powers. These powers are declared to be necessary and proper to carry into full force and effect the specific powers granted in this appendix and to fully accomplish the purposes and objects contemplated by the provisions of this section:

(a) To make or have made all surveys and plans necessary to the carrying out of the purposes of this appendix and to adopt or approve, modify, and amend those plans. These plans may include, but are not limited to:

(1) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;

(2) Plans for the enforcement of codes and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and

(3) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects and related activities; and to apply for, accept, and utilize grants of funds from the federal government or other governmental entity for those purposes;

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

(c) To appropriate whatever funds and make whatever expenditures as may be necessary to carry out the purposes of this appendix, including, but not limited:

(1) To the payment of any and all costs and expenses incurred in connection with, or incidental to, the acquisition of land or property, and for the demolition, removal, relocation, renovation, or alteration of land, buildings, streets, highways, alleys, utilities, or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation, or repair of streets, highways, alleys, utilities, or services, in connection with urban renewal projects;

(2) To levy taxes and assessments for those purposes;

(3) To borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, county, or other public bodies, or from any sources, public or private, for the purposes of this appendix, and to give whatever security as may be required for this financial assistance; and

(4) To invest any urban renewal funds held in reserves or sinking funds or any of these funds not required for immediate disbursement in property or securities which are legal investments for other municipal funds;

(d) (1) To hold, improve, clear, or prepare for redevelopment any property acquired in connection with urban renewal projects;

(2) To mortgage, pledge, hypothecate, or otherwise encumber that property;
and

(3) To insure or provide for the insurance of the property or operations of the municipality against any risks or hazards, including the power to pay premiums on any insurance;

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

(f) To enter into any building or property in any urban renewal area in order to make inspections, surveys, appraisals, soundings, or test borings, and to obtain an order for this purpose from the circuit court for the county in which the municipality is situated in the event entry is denied or resisted;

(g) To plan, replan, install, construct, reconstruct, repair, close, or vacate streets, roads, sidewalks, public utilities, parks, playgrounds, and other public improvements in connection with an urban renewal project; and to make exceptions from building regulations;

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

(i) To exercise all or any part or combination of the powers granted in this appendix.

A1-104. Establishment of Urban Renewal Agency.

(a) A municipality may itself exercise all the powers granted by this appendix, or may, if its legislative body by ordinance determines the action to be in the public interest, elect to have the powers exercised by a separate public body or agency.

(b) In the event the legislative body makes that determination, it shall proceed by ordinance to establish a public body or agency to undertake in the municipality the activities authorized by this appendix.

(c) The ordinance shall include provisions establishing the number of members of the public body or agency, the manner of their appointment and removal, and the terms of the members and their compensation.

(d) The ordinance may include whatever additional provisions relating to the organization of the public body or agency as may be necessary.

(e) In the event the legislative body enacts this ordinance, all of the powers by this appendix granted to the municipality, from the effective date of the ordinance, are vested in the public body or agency established by the ordinance.

A1-105. Powers withheld from the agency.

The agency may not:

(a) Pass a resolution to initiate an urban renewal project pursuant to sections A1-102 and A1-103 of this appendix;

(b) Issue general obligation bonds pursuant to section A1-111 of this appendix; or

(c) Appropriate funds or levy taxes and assessments pursuant to section A1-103(3) of this appendix.

A1-106. Initiation of project.

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

(a) Finds that one or more slum or blighted areas exist in the municipality;

(b) Locates and defines the slum or blighted area; and

(c) Finds that the rehabilitation, redevelopment, or a combination of them, of the area or areas, is necessary and in the interest of the public health, safety, morals, or welfare of the residents of the municipality.

A1-107. Preparation and approval of plan for urban renewal project.

(a) In order to carry out the purposes of this appendix, the municipality shall have prepared an urban renewal plan for slum or blighted areas in the municipality, and shall approve the plan formally. The municipality shall hold a public hearing on an urban renewal project after public notice of it by publication in a newspaper having a general circulation within the corporate limits of the municipality. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration. Following the hearing, the municipality may approve an urban renewal project and the plan therefor if it finds that:

(1) A feasible method exists for the location of any families or natural persons who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to the families or natural persons;

(2) The urban renewal plan conforms substantially to the master plan of the municipality as a whole; and

(3) The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

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

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

A1-108. Disposal of property in urban renewal area.

(a) The municipality may sell, lease, or otherwise transfer real property or any interest in it acquired by it for an urban renewal project to any person for residential, recreational, commercial, industrial, educational, or other uses or for public use, or it may retain the property or interest for public use, in accordance with the urban renewal plan and subject to whatever covenants, conditions, and restrictions, including covenants running with the land, as it considers necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this appendix. The purchasers or lessees and their successors and assigns shall be obligated to devote the real property only to the uses specified in the urban renewal plan, and may be obligated to comply with whatever other requirements the municipality determines to be in the public interest, including the obligation to begin within a

reasonable time any improvements on the real property required by the urban renewal plan. The real property or interest may not be sold, leased, otherwise transferred, or retained at less than its fair value for uses in accordance with the urban renewal plan. In determining the fair value of real property for uses in accordance with the urban renewal plan, the municipality shall take into account and give consideration to the uses provided in the plan, the restrictions upon, and the covenants, conditions, and obligations assumed by the purchaser or lessee or by the municipality retaining the property, and the objectives of the plan for the prevention of the recurrence of slum or blighted areas. In any instrument or conveyance to a private purchaser or lessee, the municipality may provide that the purchaser or lessee may not sell, lease, or otherwise transfer the real property without the prior written consent of the municipality until he has completed the construction of any or all improvements which he has obligated himself to construct on the property. Real property acquired by the municipality which, in accordance with the provisions of the urban renewal plan, is to be transferred, shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban renewal plan. Any contract for the transfer and the urban renewal plan (or any part or parts of the contract or plan as the municipality determines) may be recorded in the land records of the county in which the municipality is situated in a manner so as to afford actual or constructive notice of it.

(b) The municipality may dispose of real property in an urban renewal area to private persons. The municipality may, by public notice by publication in a newspaper having a general circulation in the community invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof. The notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those interested within a specified period. The municipality shall consider all redevelopment or rehabilitation proposals and the financial and legal ability of the persons making proposals to carry them out, and may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by the municipality in the urban renewal area. The municipality may accept any proposal as it deems to be in the public interest and in furtherance of the purposes of this subheading. Thereafter, the municipality may execute and deliver contracts, deeds, leases, and other instruments and take all steps necessary to effectuate the transfers.

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

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

A1-109. Eminent domain.

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

A1-110. Encouragement of private enterprise.

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

A1-111. General obligation bonds.

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

A1-112. Revenue bonds.

(a) In addition to the authority conferred by section A1-111 of this appendix, the municipality may issue revenue bonds to finance the undertaking of any urban renewal project and related activities. Also, it may issue refunding bonds for the payment or retirement of the bonds issued previously by it. The bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality derived from or held in connection with the undertaking and carrying out of urban renewal projects under this appendix. However, payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source, in aid of any urban renewal projects of the municipality under this appendix, and by a mortgage of any urban renewal project, or any part of a project, title to which is in the municipality. In addition, the municipality may enter into an indenture of trust with any private banking institution of this state having trust powers and may make in the indenture of trust covenants and commitments required by any purchaser for the adequate security of the bonds.

(b) Bonds issued under this section do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, are not subject to the provisions of any other law or Charter relating to the authorization, issuance, or sale of bonds, and are exempted specifically from the restrictions contained in sections 9, 10, and 11 of Article 31 (Debt – Public) of the Annotated Code of Maryland. Bonds issued under the provisions of this appendix are declared to be issued for an essential public and governmental purpose and, together with interest on them and income from them, are exempt from all taxes.

(c) Bonds issued under this section shall be authorized by resolution or ordinance of the legislative body of the municipality. They may be issued in one or more series and:

- (1) Shall bear a date or dates;
- (2) Mature at a time or times;
- (3) Bear interest at a rate or rates;
- (4) Be in a denomination or denominations;
- (5) Be in a form either with or without coupon or registered;
- (6) Carry a conversion or registration privilege;
- (7) Have a rank or priority;
- (8) Be executed in a manner;
- (9) Be payable in a medium or payment, at a place or places, and be subject to terms of redemption (with or without premium);
- (10) Be secured in a manner; and
- (11) Have other characteristics, as are provided by the resolution, trust indenture, or mortgage issued pursuant to it.

(d) These bonds may not be sold at less than par value at public sales which are held after notice is published prior to the sale in a newspaper having a general circulation in the area in which the municipality is located and in whatever other medium of publication as the municipality may determine. The bonds may be exchanged also for other bonds on the basis of par. However, the bonds may not be sold to the federal government at private sale at less than par, and, in the event less than all of the authorized principal amount of the bonds is sold to the federal government, the balance may not be sold at private sale at less than par at an interest cost to the municipality which does not exceed the interest cost to the municipality of the portion of the bonds sold to the federal government.

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

(f) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this appendix, or the security for it, any bond which recites in substance that it has been issued by the municipality in connection with an urban renewal project shall be considered conclusively to have been issued for that purpose, and the project shall be considered

conclusively to have been planned, located, and carried out in accordance with the provisions of this appendix.

(g) All banks, trust companies, bankers, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by the municipality pursuant to this appendix. However, the bonds and other obligations shall be secured by an agreement between the issuer and the federal government in which the issuer agrees to borrow from the federal government and the federal government agrees to lend to the issuer, prior to the maturity of the bonds or other obligations, moneys in an amount which (together with any other moneys committed irrevocably to the payment of principal and interest on the bonds or other obligations) will suffice to pay the principal of the bonds or other obligations with interest to maturity on them. The moneys under the terms of the agreement shall be required to be used for the purpose of paying the principal of and the interest on the bonds or other obligations at their maturity. The bonds and other obligations shall be authorized security for all public deposits. This section authorizes any persons or public or private political subdivisions and officers to use any funds owned or controlled by them for the purchase of any bonds or other obligations. With regard to legal investments, this section may not be construed to relieve any person of any duty of exercising reasonable care in selecting securities.

A1-113. Short title.

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

A1-114. Authority to amend or repeal.

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

NOTES

(1) Charter Amendment Resolution No. 2015-01, adopted October 7, 2015, significantly reorganized this Charter under articles and updated numerous provisions. Sections 24-7 (“Judge of qualifications of members.”), 24-26 (“Women.”), 24-28 (“Penalty provisions.”), and 24-83 (“Misdemeanors.”) were all permanently repealed.

(2) Charter Amendment Resolution No. 2015-01, adopted October 7, 2015, and Charter Amendment Resolution No. 2016-01, adopted June 1, 2016, purported to amend Appendix A. Urban Renewal Authority for Slum Clearance, however, Article XI-E, § 6 of the Maryland Constitution limits municipal authority and makes municipal charters subject to State law. Appendix A was enacted by the General Assembly and may not be amended through municipal action.