

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2019 Legislative Session**

**BILL NO. 2020-01**

**Introduced by Charles County Commissioners**

**Chapter 97: Benefit Assessments for Infrastructure Improvements**

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**Date introduced:** 02 / 25 / 2020

**Public Hearing:** 06 / 02 / 2020 @6:00 p.m.

**Commissioners Action:** 06 / 02 / 2020

**Commissioner Votes:** RBC: Y, BR: Y, GB: Y, TC: Y, AS: Y

**Pass/Fail:** Pass

**Effective Date:** 07 / 17 / 2020

**Remarks:** \_\_\_\_\_

NOTE: CAPITALS indicate matter added to existing text.  
[Brackets] indicate matter deleted from existing law.



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D. UNPAID A[a]nnual benefit assessments shall be a first lien upon the properties against which they are assessed until paid, subject only to prior state and County taxes. If any property is sold for state and County taxes and a surplus remains after the sale, then the County Commissioners, upon petition to the Circuit Court, may be allowed the payment of their lien.

§ 97-3 Notice to public.

For the purpose of giving notice to the general public as to the PROPERTIES SUBJECT TO BENEFIT ASSESSMENTS AUTHORIZED BY §97-2, A COPY OF THE APPROVED ORDINANCE ADOPTED BY THE COUNTY COMMISSIONERS PURSUANT TO § 97-5 E, SHALL BE RECORDED AMONG THE LAND RECORDS OF CHARLES COUNTY, MARYLAND. [existing liens and charges against any property for the benefit assessments authorized under §97-2 of this article, the County Commissioners shall keep a public record of all names of property owners, the location of the properties and the amount of the benefit charges. This public record shall be found among the Land Records of Charles County that are under the supervision of the Clerk of the Circuit Court. Recordation of the benefit assessments with the Clerk of the Circuit Court is legal notice of the liens.]

§ 97-4 Benefit assessments.

A. On or before [July 1] JUNE 30 of each year, the County Commissioners shall certify its ANNUAL benefit assessments to the County Treasurer for collection from the property owners affected IN THE UPCOMING FISCAL YEAR. UPON CERTIFICATION, THE COUNTY TREASURER SHALL LEVY THE ANNUAL BENEFIT ASSESSMENT DUE FOR THE UPCOMING FISCAL YEAR. THE ANNUAL BENEFIT ASSESSMENT LEVIED EACH FISCAL YEAR MUST BE PAID PRIOR TO THE END OF THAT SAME FISCAL YEAR.

B. The Treasurer shall add the ANNUAL benefit assessment LEVIED AT THE BEGINNING OF EACH FISCAL YEAR[s] to the state and County property tax bills for collection,

1 subject to discount and interest allowances or charges as are [now] provided by law for  
2 Charles County taxes on real property. If a property owner fails to pay THE [a] ANNUAL  
3 benefit assessment BEFORE THE END OF THE SAME FISCAL YEAR IN WHICH IT  
4 WAS LEVIED, the assessment sum may be deducted from any surplus in the hands of the  
5 Treasurer after sale, under order of the Circuit Court, for nonpayment of state and County  
6 property taxes. In the alternative, the lien created in favor of the annual benefit assessment  
7 may be enforced by bill in equity or by action at law.

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9 C. TRANSFER OF PROPERTY SUBJECT TO BENEFIT ASSESSMENT

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11 [C.] (1) A deed or conveyance of real property may not be APPROVED FOR transfer[red]  
12 by the Assessor's office until proof of payment of all ANNUAL benefit assessments  
13 LEVIED IN PRIOR FISCAL YEARS UP TO AND INCLUDING THE FISCAL YEAR  
14 IN WHICH THE TRANSFER OCCURS has been SUBMITTED [made] to the Transfer  
15 Clerk. THE REMAINING ANNUAL BENEFIT ASSESSMENTS SHALL BECOME  
16 THE RESPONSIBILITY OF THE TRANSFEREE AND THE ANNUAL ASSESSMENT  
17 SHALL CONTINUE UNTIL SUCH TIME AS THE BENEFIT ASSESSMENT IS PAID  
18 IN FULL.

19 (2) A TRANSFEROR SHALL NOT BE OBLIGATED TO PAY ANY PORTION OF THE  
20 BENEFIT ASSESSMENT THAT HAS NOT BEEN LEVIED AGAINST THE  
21 PROPERTY BY THE COUNTY TREASURER PRIOR TO OR AS OF THE DATE OF  
22 TRANSFER.  
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1     **§ 97-5 Required procedure.**

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3     Before the County Commissioners exercise the powers granted by this article, there shall be:

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5                     \*     \*     \*     \*     \*     \*     \*     \*     \*     \*

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7     D. The passage of an appropriate ordinance under § 97-2 of this article that SETS FORTH  
8     [states]:

9             (1) The improvements being acquired or improved or the construction or extension being  
10            constructed or extended; [.]

11

12            (2) The property owners affected; [.]

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14            (3) A REASONABLE ESTIMATE OF COST OF THE CONSTRUCTION OF  
15            IMPROVEMENTS OR EXTENSIONS; AND

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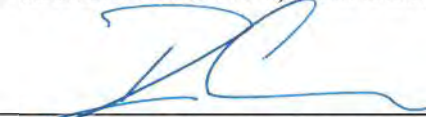
17            (4) All material terms of the annual benefit assessments to be levied to pay the cost of the  
18            improvement and acquisition or any reasonable portion of the cost as determined by  
19            the County Commissioners.

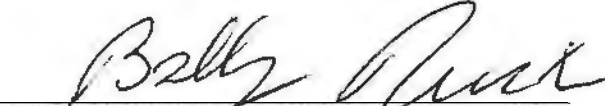
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**SECTION 2. BE IT FURTHER ENACTED**, that this act shall take effect forty-five (45) calendar days after it becomes law.

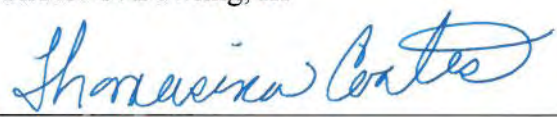
ADOPTED this 2<sup>ND</sup> day of June 2020.

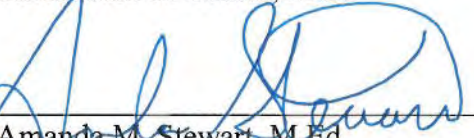
COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND

  
\_\_\_\_\_  
Reuben B. Collins, II, Esq., President

  
\_\_\_\_\_  
Bobby Rucci, Vice President

  
\_\_\_\_\_  
Gilbert O. Bowling, III

  
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Thomasina O. Coates, M.S.

  
\_\_\_\_\_  
Amanda M. Stewart, M.Ed.

ATTEST:  
  
\_\_\_\_\_  
Carol DeSoto  
Clerk to the Commissioners

Asterisks \*\*\* mean intervening code language remaining unchanged  
CAPITALS mean language added to the law  
[Brackets] mean language deleted from the law