A BILL ENTITLED

AN ORDINANCE concerning: Bay Ridge Shore Erosion Control District

FOR the purpose of authorizing a certain shore erosion control project in the Bay Ridge Shore Erosion Control District

WHEREAS, by an Act of the General Assembly in 1933 (Ch. 27, Laws of 1933) (the “Act”), each and every subdivision of land in Anne Arundel County abutting or bordering upon the Chesapeake Bay and tributaries was established as a taxing and assessment district for the purpose of construction erosion prevention works; and

WHEREAS, by operation of law pursuant to the Act, the subdivision of Bay Ridge, which was platted prior to the Act and which borders the Chesapeake Bay, was constituted such a taxing and assessment district, now known as a “shore erosion control district”; and

WHEREAS, moreover, in 1973, the State enacted Article 25, § 161 of the State Code, now designated as § 21-204 of the Local Government Article of the State Code, which states that “[e]ach recorded subdivision that abuts a body of water in the State is a district”; and

WHEREAS, Bill No. 20-88 established the boundaries of the Bay Ridge Shore Erosion Control District (“District”) by identifying the plats of the subdivision, recognized erosion control works constructed prior to the passage of Bill No. 20-88, and approved a new shore erosion control project to be undertaken within the District; and
WHEREAS, it is necessary to reconstruct and maintain a shore erosion control work on the shoreline of community-owned property located at 80 East Lake Drive, Annapolis, Maryland (the “Project”); and

WHEREAS, § 21-306 of the Local Government Article of the State Code provides that the County may impose a tax on property in a shore erosion control district to pay for maintenance, repair, and reconstruction of shore erosion control projects; and

WHEREAS, § 4-7-302(b) of the County Code states that an existing district may not be amended or modified unless the amendment or modification is approved by petition of at least 75% of the owners of properties in the existing district; and

WHEREAS, the Project has been the subject of a petition, and the purpose of the Project as stated in the petition is “to replace and construct new bulkhead improvements and repair existing bulkhead improvements and maintain existing bulkhead improvements on the shoreline of the community owned property at 80 East Lake Drive, Annapolis, MD 21403”; and

WHEREAS, more than 75% of the owners of real property in the District are in favor of the Project; and

WHEREAS, a method of taxation for payment of the costs of the Project was included and approved as part of the petition; and, now, therefore

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, That a shore erosion control project to reconstruct existing bulkhead and to repair and maintain said bulkhead may be undertaken, as necessary from time to time, within the Bay Ridge Shore Erosion Control District on the shoreline of community-owned property located at 80 East Lake Drive, Annapolis, Maryland.

SECTION 2. And be it further enacted, That the method of taxation for the Project shall be a uniform rate applied to the assessable base of properties within the District.

SECTION 3. And be it further enacted, That this Ordinance shall take effect 45 days from the date it becomes law.

READ AND PASSED this 6th day of September, 2022

By Order:

Laura Corby
Administrative Officer
PRESENTED to the County Executive for his approval this 7th day of September, 2022

Laura Corby
Administrative Officer

APPROVED AND ENACTED this 16th day of September, 2022

Steuart Pittman
County Executive

EFFECTIVE DATE: October 31, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO. 72-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES OF THE COUNTY COUNCIL.

Laura Corby
Administrative Officer