

# SENATE BILL 313

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HB 1385/20 – ENT

3lr1132  
CF 3lr1133

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By: **Carroll County Senators**

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

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

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

11 BY adding to  
12 Chapter 99 – Charter of the Town of Mount Airy  
13 Section A1–101 through A1–114 to be under the new heading “Appendix I – Urban  
14 Renewal Authority for Slum Clearance”  
15 Public Local Laws of Maryland – Compilation of Municipal Charters  
16 (2014 Replacement Edition, Revisions Current as of November 2021)

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

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

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

21 **A1–101. DEFINITIONS.**

22 **(A) IN THIS APPENDIX THE FOLLOWING WORDS HAVE THE MEANINGS**  
23 **INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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 MOUNT AIRY, MARYLAND.

(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

1 ANY COMBINATION OR PART OF THEM IN ACCORDANCE WITH AN URBAN RENEWAL  
2 PLAN. THESE UNDERTAKINGS AND ACTIVITIES MAY INCLUDE:

3 (1) ACQUISITION OF A SLUM AREA OR A BLIGHTED AREA OR PORTION  
4 OF THEM;

5 (2) DEMOLITION AND REMOVAL OF BUILDINGS AND IMPROVEMENTS;

6 (3) INSTALLATION, CONSTRUCTION OR RECONSTRUCTION OF  
7 STREETS, UTILITIES, PARKS, PLAYGROUNDS, AND OTHER IMPROVEMENTS  
8 NECESSARY FOR CARRYING OUT THE URBAN RENEWAL OBJECTIVES OF THIS  
9 APPENDIX IN ACCORDANCE WITH THE URBAN RENEWAL PLAN;

10 (4) DISPOSITION OF ANY PROPERTY ACQUIRED IN THE URBAN  
11 RENEWAL AREA, INCLUDING SALE, INITIAL LEASING, OR RETENTION BY THE  
12 MUNICIPALITY ITSELF, AT ITS FAIR VALUE FOR USES IN ACCORDANCE WITH THE  
13 URBAN RENEWAL PLAN;

14 (5) CARRYING OUT PLANS FOR A PROGRAM OF VOLUNTARY OR  
15 COMPULSORY REPAIR AND REHABILITATION OF BUILDINGS OR OTHER  
16 IMPROVEMENTS IN ACCORDANCE WITH THE URBAN RENEWAL PLAN;

17 (6) ACQUISITION OF ANY OTHER REAL PROPERTY IN THE URBAN  
18 RENEWAL AREA WHERE NECESSARY TO ELIMINATE UNHEALTHFUL, UNSANITARY,  
19 OR UNSAFE CONDITIONS, LESSEN DENSITY, ELIMINATE OBSOLETE OR OTHER USES  
20 DETRIMENTAL TO THE PUBLIC WELFARE, OR OTHERWISE TO REMOVE OR PREVENT  
21 THE SPREAD OF BLIGHT OR DETERIORATION, OR TO PROVIDE LAND FOR NEEDED  
22 PUBLIC FACILITIES; AND

23 (7) THE PRESERVATION, IMPROVEMENT, OR EMBELLISHMENT OF  
24 HISTORIC STRUCTURES OR MONUMENTS.

25 **A1-102. POWERS.**

26 (A) THE MUNICIPALITY MAY UNDERTAKE AND CARRY OUT URBAN RENEWAL  
27 PROJECTS.

28 (B) THESE PROJECTS SHALL BE LIMITED:

29 (1) TO SLUM CLEARANCE IN SLUM OR BLIGHTED AREAS AND  
30 REDEVELOPMENT OR THE REHABILITATION OF SLUM OR BLIGHTED AREAS;

31 (2) TO ACQUIRE IN CONNECTION WITH THOSE PROJECTS, WITHIN

1 THE CORPORATE LIMITS OF THE MUNICIPALITY, LAND AND PROPERTY OF EVERY  
2 KIND AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE,  
3 INCLUDING LAND OR PROPERTY AND ANY RIGHT OR INTEREST ALREADY DEVOTED  
4 TO PUBLIC USE, BY PURCHASE, LEASE, GIFT, CONDEMNATION, OR ANY OTHER LEGAL  
5 MEANS; AND

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

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

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

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

27 **A1-103. ADDITIONAL POWERS.**

28 THE MUNICIPALITY HAS THE FOLLOWING ADDITIONAL POWERS. THESE  
29 POWERS ARE DECLARED TO BE NECESSARY AND PROPER TO CARRY INTO FULL  
30 FORCE AND EFFECT THE SPECIFIC POWERS GRANTED IN THIS APPENDIX AND TO  
31 FULLY ACCOMPLISH THE PURPOSES AND OBJECTS CONTEMPLATED BY THE  
32 PROVISIONS OF THIS SECTION:

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

1                   **(I) PLANS FOR CARRYING OUT A PROGRAM OF VOLUNTARY OR**  
2 **COMPULSORY REPAIR AND REHABILITATION OF BUILDINGS AND IMPROVEMENTS;**

3                   **(II) PLANS FOR THE ENFORCEMENT OF CODES AND**  
4 **REGULATIONS RELATING TO THE USE OF LAND AND THE USE AND OCCUPANCY OF**  
5 **BUILDINGS AND IMPROVEMENTS AND TO THE COMPULSORY REPAIR,**  
6 **REHABILITATION, DEMOLITION, OR REMOVAL OF BUILDINGS AND IMPROVEMENTS;**  
7 **AND**

8                   **(III) APPRAISALS, TITLE SEARCHES, SURVEYS, STUDIES, AND**  
9 **OTHER PLANS AND WORK NECESSARY TO PREPARE FOR THE UNDERTAKING OF**  
10 **URBAN RENEWAL PROJECTS AND RELATED ACTIVITIES; AND TO APPLY FOR,**  
11 **ACCEPT, AND UTILIZE GRANTS OF FUNDS FROM THE FEDERAL GOVERNMENT OR**  
12 **OTHER GOVERNMENTAL ENTITY FOR THOSE PURPOSES;**

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

19                   **(3) TO APPROPRIATE WHATEVER FUNDS AND MAKE WHATEVER**  
20 **EXPENDITURES AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS**  
21 **APPENDIX, INCLUDING, BUT NOT LIMITED:**

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

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

31                   **(III) TO BORROW MONEY AND TO APPLY FOR AND ACCEPT**  
32 **ADVANCES, LOANS, GRANTS, CONTRIBUTIONS, AND ANY OTHER FORM OF FINANCIAL**  
33 **ASSISTANCE FROM THE FEDERAL GOVERNMENT, THE STATE, COUNTY, OR OTHER**  
34 **PUBLIC BODIES, OR FROM ANY SOURCES, PUBLIC OR PRIVATE, FOR THE PURPOSES**  
35 **OF THIS APPENDIX, AND TO GIVE WHATEVER SECURITY AS MAY BE REQUIRED FOR**

1 THIS FINANCIAL ASSISTANCE; AND

2 (IV) TO INVEST ANY URBAN RENEWAL FUNDS HELD IN RESERVES  
3 OR SINKING FUNDS OR ANY OF THESE FUNDS NOT REQUIRED FOR IMMEDIATE  
4 DISBURSEMENT IN PROPERTY OR SECURITIES WHICH ARE LEGAL INVESTMENTS FOR  
5 OTHER MUNICIPAL FUNDS;

6 (4) (I) TO HOLD, IMPROVE, CLEAR, OR PREPARE FOR  
7 REDEVELOPMENT ANY PROPERTY ACQUIRED IN CONNECTION WITH URBAN  
8 RENEWAL PROJECTS;

9 (II) TO MORTGAGE, PLEDGE, HYPOTHECATE, OR OTHERWISE  
10 ENCUMBER THAT PROPERTY; AND

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

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

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

28 (7) TO PLAN, REPLAN, INSTALL, CONSTRUCT, RECONSTRUCT,  
29 REPAIR, CLOSE, OR VACATE STREETS, ROADS, SIDEWALKS, PUBLIC UTILITIES,  
30 PARKS, PLAYGROUNDS, AND OTHER PUBLIC IMPROVEMENTS IN CONNECTION WITH  
31 AN URBAN RENEWAL PROJECT; AND TO MAKE EXCEPTIONS FROM BUILDING  
32 REGULATIONS;

33 (8) TO GENERALLY ORGANIZE, COORDINATE, AND DIRECT THE  
34 ADMINISTRATION OF THE PROVISIONS OF THIS APPENDIX AS THEY APPLY TO THE  
35 MUNICIPALITY IN ORDER THAT THE OBJECTIVE OF REMEDYING SLUM AND

1 BLIGHTED AREAS AND PREVENTING ITS CAUSES WITHIN THE MUNICIPALITY MAY BE  
2 PROMOTED AND ACHIEVED MOST EFFECTIVELY; AND

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

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

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

10 (B) IN THE EVENT THE LEGISLATIVE BODY MAKES THAT DETERMINATION,  
11 IT SHALL PROCEED BY ORDINANCE TO ESTABLISH A PUBLIC BODY OR AGENCY TO  
12 UNDERTAKE IN THE MUNICIPALITY THE ACTIVITIES AUTHORIZED BY THIS  
13 APPENDIX.

14 (C) THE ORDINANCE SHALL INCLUDE PROVISIONS ESTABLISHING THE  
15 NUMBER OF MEMBERS OF THE PUBLIC BODY OR AGENCY, THE MANNER OF THEIR  
16 APPOINTMENT AND REMOVAL, AND THE TERMS OF THE MEMBERS AND THEIR  
17 COMPENSATION.

18 (D) THE ORDINANCE MAY INCLUDE WHATEVER ADDITIONAL PROVISIONS  
19 RELATING TO THE ORGANIZATION OF THE PUBLIC BODY OR AGENCY AS MAY BE  
20 NECESSARY.

21 (E) IN THE EVENT THE LEGISLATIVE BODY ENACTS THIS ORDINANCE, ALL  
22 OF THE POWERS BY THIS APPENDIX GRANTED TO THE MUNICIPALITY, FROM THE  
23 EFFECTIVE DATE OF THE ORDINANCE, ARE VESTED IN THE PUBLIC BODY OR AGENCY  
24 ESTABLISHED BY THE ORDINANCE.

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

26 THE AGENCY MAY NOT:

27 (1) PASS A RESOLUTION TO INITIATE AN URBAN RENEWAL PROJECT  
28 PURSUANT TO SECTIONS A1-102 AND A1-103 OF THIS APPENDIX;

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

31 (3) APPROPRIATE FUNDS OR LEVY TAXES AND ASSESSMENTS

1 PURSUANT TO SECTION A1-103(3) OF THIS APPENDIX.

2 **A1-106. INITIATION OF PROJECT.**

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

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

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

8 (3) FINDS THAT THE REHABILITATION, REDEVELOPMENT, OR A  
9 COMBINATION OF THEM, OF THE AREA OR AREAS, IS NECESSARY AND IN THE  
10 INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE  
11 RESIDENTS OF THE MUNICIPALITY.

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

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

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

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

32 (3) THE URBAN RENEWAL PLAN WILL AFFORD MAXIMUM  
33 OPPORTUNITY, CONSISTENT WITH THE SOUND NEEDS OF THE MUNICIPALITY AS A



1 WHOLE, FOR THE REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL  
2 AREA BY PRIVATE ENTERPRISE.

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

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

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

20 (A) THE MUNICIPALITY, BY ORDINANCE, MAY SELL, LEASE, OR OTHERWISE  
21 TRANSFER REAL PROPERTY OR ANY INTEREST IN IT ACQUIRED BY IT FOR AN URBAN  
22 RENEWAL PROJECT TO ANY PERSON FOR RESIDENTIAL, RECREATIONAL,  
23 COMMERCIAL, INDUSTRIAL, EDUCATIONAL, OR OTHER USES OR FOR PUBLIC USE, OR  
24 IT MAY RETAIN THE PROPERTY OR INTEREST FOR PUBLIC USE, IN ACCORDANCE  
25 WITH THE URBAN RENEWAL PLAN AND SUBJECT TO WHATEVER COVENANTS,  
26 CONDITIONS, AND RESTRICTIONS, INCLUDING COVENANTS RUNNING WITH THE  
27 LAND, AS IT CONSIDERS NECESSARY OR DESIRABLE TO ASSIST IN PREVENTING THE  
28 DEVELOPMENT OR SPREAD OF FUTURE SLUMS OR BLIGHTED AREAS OR TO  
29 OTHERWISE CARRY OUT THE PURPOSES OF THIS APPENDIX. THE PURCHASERS OR  
30 LESSEES AND THEIR SUCCESSORS AND ASSIGNS SHALL BE OBLIGATED TO DEVOTE  
31 THE REAL PROPERTY ONLY TO THE USES SPECIFIED IN THE URBAN RENEWAL PLAN,  
32 AND MAY BE OBLIGATED TO COMPLY WITH WHATEVER OTHER REQUIREMENTS THE  
33 MUNICIPALITY DETERMINES TO BE IN THE PUBLIC INTEREST, INCLUDING THE  
34 OBLIGATION TO BEGIN WITHIN A REASONABLE TIME ANY IMPROVEMENTS ON THE  
35 REAL PROPERTY REQUIRED BY THE URBAN RENEWAL PLAN. THE REAL PROPERTY  
36 OR INTEREST MAY NOT BE SOLD, LEASED, OTHERWISE TRANSFERRED, OR RETAINED  
37 AT LESS THAN ITS FAIR VALUE FOR USES IN ACCORDANCE WITH THE URBAN  
38 RENEWAL PLAN. IN DETERMINING THE FAIR VALUE OF REAL PROPERTY FOR USES  
39 IN ACCORDANCE WITH THE URBAN RENEWAL PLAN, THE MUNICIPALITY SHALL TAKE

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

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

38 (C) THE MUNICIPALITY MAY OPERATE TEMPORARILY AND MAINTAIN REAL  
39 PROPERTY ACQUIRED BY IT IN AN URBAN RENEWAL AREA FOR OR IN CONNECTION  
40 WITH AN URBAN RENEWAL PROJECT PENDING THE DISPOSITION OF THE PROPERTY  
41 AS AUTHORIZED IN THIS APPENDIX, WITHOUT REGARD TO THE PROVISIONS OF

1 SUBSECTION (A) OF THIS SECTION, FOR USES AND PURPOSES CONSIDERED  
2 DESIRABLE EVEN THOUGH NOT IN CONFORMITY WITH THE URBAN RENEWAL PLAN.

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

9 **A1-109. EMINENT DOMAIN.**

10 CONDEMNATION OF LAND OR PROPERTY UNDER THE PROVISIONS OF THIS  
11 APPENDIX SHALL BE IN ACCORDANCE WITH THE PROCEDURE PROVIDED IN THE  
12 REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

13 **A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.**

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

20 **A1-111. GENERAL OBLIGATION BONDS.**

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

28 **A1-112. REVENUE BONDS.**

29 (A) IN ADDITION TO THE AUTHORITY CONFERRED BY SECTION A1-111 OF  
30 THIS APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE  
31 UNDERTAKING OF ANY URBAN RENEWAL PROJECT AND RELATED ACTIVITIES. ALSO,  
32 IT MAY ISSUE REFUNDING BONDS FOR THE PAYMENT OR RETIREMENT OF THE  
33 BONDS ISSUED PREVIOUSLY BY IT. THE BONDS SHALL BE MADE PAYABLE, AS TO  
34 BOTH PRINCIPAL AND INTEREST, SOLELY FROM THE INCOME, PROCEEDS,

1 REVENUES, AND FUNDS OF THE MUNICIPALITY DERIVED FROM OR HELD IN  
2 CONNECTION WITH THE UNDERTAKING AND CARRYING OUT OF URBAN RENEWAL  
3 PROJECTS UNDER THIS APPENDIX. HOWEVER, PAYMENT OF THE BONDS, BOTH AS  
4 TO PRINCIPAL AND INTEREST, MAY BE FURTHER SECURED BY A PLEDGE OF ANY  
5 LOAN, GRANT, OR CONTRIBUTION FROM THE FEDERAL GOVERNMENT OR OTHER  
6 SOURCE, IN AID OF ANY URBAN RENEWAL PROJECTS OF THE MUNICIPALITY UNDER  
7 THIS APPENDIX, AND BY A MORTGAGE OF ANY URBAN RENEWAL PROJECT, OR ANY  
8 PART OF A PROJECT, TITLE TO WHICH IS IN THE MUNICIPALITY. IN ADDITION, THE  
9 MUNICIPALITY MAY ENTER INTO AN INDENTURE OF TRUST WITH ANY PRIVATE  
10 BANKING INSTITUTION OF THIS STATE HAVING TRUST POWERS AND MAY MAKE IN  
11 THE INDENTURE OF TRUST COVENANTS AND COMMITMENTS REQUIRED BY ANY  
12 PURCHASER FOR THE ADEQUATE SECURITY OF THE BONDS.

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

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

- 26 (1) BEAR A DATE OR DATES;
- 27 (2) MATURE AT A TIME OR TIMES;
- 28 (3) BEAR INTEREST AT A RATE OR RATES;
- 29 (4) BE IN A DENOMINATION OR DENOMINATIONS;
- 30 (5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR  
31 REGISTERED;
- 32 (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;
- 33 (7) HAVE A RANK OR PRIORITY;

1           **(8) BE EXECUTED IN A MANNER;**

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

4           **(10) BE SECURED IN A MANNER; AND**

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

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

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

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

35           **(G) ALL BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS, AND**  
36 **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 MOUNT AIRY 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 MARYLAND CONSTITUTION, MAY BE AMENDED OR REPEALED ONLY BY THE GENERAL ASSEMBLY OF MARYLAND.

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