CHARTER

OF THE

Town of Brookview

DORCHESTER COUNTY, MARYLAND

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BROOKVIEW

Section 2–1. Incorporated; general powers.

The citizens of the Town of Brookview in Dorchester County are hereby constituted a body corporate under the name of the Commissioners of Brookview, and as such may have perpetual succession, and by that name may sue and be sued, purchase, hold and dispose of real, personal and mixed property for the benefit of said town, own, use and alter, as may be required, a common seal, and exercise certain other privileges hereinafter specified. (1961 Code, sec. 8. 1953, ch. 704, sec. 38A.)

Section 2–2. Corporate limits.

The corporate limits of the said Town shall be included within the following metes and bounds, to wit:

Beginning for the outlines thereof at a point at low water mark of the Marshy Hope Creek opposite a stake set on the bank of said Creek 102 feet from the end of Bridge, thence with the Daisie Marine land south 53 degrees 45 minutes west 467 feet to a stake, thence with same across State road and with land of Livina Collins south 29 degrees 45 minutes east 504 feet to a stake, thence north 59 degrees 30 minutes east 346 feet to a post, thence south 29 degrees 15 minutes east 963 feet to a stake, thence south 23 degrees 30 minutes east 116 feet to a post, thence south 63 degrees 30 minutes west 75 feet to a post, thence south 19 degrees 30 minutes east 134 feet to a cedar tree, thence south 10 degrees 45 minutes west 192 feet to a stake, thence south 20 degrees west 193 feet to a stake, thence south 68 degrees 30 minutes east 180 feet to a stake on the east side of State road thence with same north 19 degrees 30 minutes east 288.5 feet to a concrete marker, thence north 85 degrees east 147 feet to a stake, thence north 84 degrees east 394.5 feet to a stake, thence north 41 degrees 15 minutes west 291 feet to a post, thence north 37 degrees west 434 feet to a large sassafras tree, thence north 39 degrees 30 minutes east 196 feet to the low water line of the aforesaid Marshy Hope Creek, thence binding with the low water line of said Creek in a northwesterly direction to the place of beginning containing 28 acres more or less. (1961 Code, sec. 9. 1953, ch. 704, sec. 38B.)

Section 2–3. Qualified voters.

All citizens of this State who have resided in said Town six months next preceding the date of election, and are at the time legally qualified to vote for State and county officers, shall possess all the qualifications of electors of said Town with all the privileges such citizenship implies. (1961 Code, sec. 10. 1953, ch. 704, sec. 38C.)

Section 2–4. Election of Town Commissioners.

The qualified voters of said Town shall arrange by convention or otherwise to hold an election in an ordinary and fair manner within the Town limits on the first Monday in May, 1953, between the hours of 1 o’clock and 5 o’clock P.M. of that day and and every year following that year elect by ballot one (1) person of integrity and sound judgment from among

their number, without regard to partisan politics, to serve as Commissioner of said Town for three (3) years from that date and until a successor shall have been elected and qualified; provided, however, that should any unforeseen circumstances prevent compliance with the foregoing specific provisions of this section, on the first Monday in May, 1953, said voters may comply with the same at any time within one year and one day from said date. (1961 Code, sec. 11, 1953, ch. 704, sec. 38D; Res. No. 99–1, 7–06–99.)

Section 2–5. Vacancies; how filled.

If any vacancy shall occur in the office of Commissioner, the remaining Commissioner or Commissioners, at the next regular meeting within ninety days, shall elect a suitable person as Commissioner to serve until the next election. Such person shall subscribe to the oath which shall be recorded as provided in Section 2–9, and if at any time it shall occur that there is no Commissioner of Brookview in office, such vacancy shall be filled in the same manner as provided in the first election under this Charter and such special election may be held at any time after the corporation ceases to have any Commissioner and the Commissioners so elected shall hold office until the time for a regular election arrives and until their successors are elected and qualified. (1961 Code, sec. 12. 1953, ch. 704, sec. 38E.)

Section 2–6. President of Commissioners; clerk, treasurer.

As soon as elected the Commissioners shall proceed to organize by electing one of their number President and shall appoint a capable person as clerk, whose duty it shall be to keep a correct record of all their official proceedings. Said clerk shall also act as treasurer of said Town and shall give to the Commissioners, subject to their approval, a bond with sufficient security and penalties for the faithful performance of his duties as treasurer. (1961 Code, sec. 13. 1953, ch. 704, sec. 38F.)

Section 2–7. Meetings of Commissioners; powers; bailiffs.

The Commissioners shall meet at least once every three months and shall have full power to make and enforce all such by–laws, rules and ordinances not in conflict with the laws of this State, as may be required for the prosperity of said Town, for the comfort, health and convenience of its inhabitants, for the prevention and removal of nuisances and unhealthfulness, and for the suppression of vice and immorality within the Town's limits, to appoint bailiffs and fix their term of office, to enforce such laws to preserve the peace and good order of the Town, and perform such other duties as the Commissioners may assign them, and for this purpose said bailiffs are vested with the same power and authority and shall have the same remuneration as constables now have under the laws of this State. (1961 Code, sec. 14. 1953, ch. 704, sec. 38G.)

Section 2–8. Compensation of employees.

The Commissioners shall fix the salaries and amount of remuneration of all officers and employees not otherwise provided for; provided, such pay shall not exceed ten dollars ($10.00) per day for the time actually employed in such service, and provided, further, that employees

shall have the right to donate to the Town their services whenever they see proper to do so. (1961 Code, sec. 15. 1953, ch. 704, sec. 38H.)

Section 2–9. Oath of office.

All officers of this corporation before entering upon their duties shall subscribe to an oath to faithfully perform said duties, and a copy of the same shall be filed with the Commissioners. (1961 Code, sec. 16. 1953, ch. 704, sec. 38–I.)

Section 2–10. Assessments and taxes.

The Commissioners shall have full power to levy and collect a tax on all property in said Town and for assessment purposes the Commissioners shall accept the value placed on such property by the State and county assessment. It shall be the duty of the clerk to collect said tax and the said clerk shall have the same power to enforce collection by suit and execution as in the case of private debts and by other process as Dorchester County Collectors have under the laws of this State. The real and personal property charged in the assessment books of the Town to any person shall be bound for the taxes which may be levied on or against it and for all taxes that may be levied against said person and all such taxes shall be a lien on said real and personal property, and shall, as a lien, have priority over the other adverse liens, claims, rights, titles and interests of whosoever may have said property in charge or possession. Such tax shall not exceed thirty cents on a dollar of taxable property for any one year. (1961 Code, sec. 17. 1953, ch. 704, sec. 38J.)

Section 2–11. Highways and streets.

The corporation shall assume the supervision of all public highways in said Town, to keep the same properly repaired; and the Commissioners shall have the power to repair, widen or extend old streets, lay out new ones and open the same; condemn rights of way or acquire the same by purchase, assess damages in the premises and pay the same out of any moneys in the Treasury not otherwise appropriated, according to State laws in such cases made and provided, whenever the welfare of the Town and the condition of the treasury shall justify such proceedings. (1961 Code, sec. 18. 1953, ch. 704, sec. 38K.)

Section 2–12. Elections.

An election for elective officers of this Town shall be held in and for said Town on the first Monday in May in each succeeding year, in accordance with Section 2–4 of this sub–title. (1961 Code, sec. 19. 1953, ch. 704, sec. 38L.)

APPENDIX I

Urban Renewal Authority for Slum Clearance

(See Note (1))

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 Brookview, 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 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 on 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:

(1) 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:

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

(ii) 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

(iii) 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;

(2) 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;

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

(i) 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;

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

(iii) 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

(iv) 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;

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

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

(iii) 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;

(5) 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;

(6) 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;

(7) 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;

(8) 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

(9) 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:

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

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

(3) 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:

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

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

(3) 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 on 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 the 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) On 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, by ordinance, 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 on, 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 the purchaser or lessee has completed the construction of any or all improvements which the purchaser or lessee has been obligated 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, by ordinance, 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 appendix. 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 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 shall:

(1) 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 of 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 Brookview 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) Pursuant to Article III, Section 61 of the Maryland Constitution, the General Assembly of Maryland granted urban renewal powers for slum clearance to the Town of Brookview in Chapter 215 of the Acts of the General Assembly of 2007.