CHARTER

OF THE

City of Crisfield

SOMERSET COUNTY, MARYLAND

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CRISFIELD

ARTICLE I
Corporate Powers and Limits

Section C1–1. General corporate powers.

The inhabitants of the City formerly known as Mayor and Council of Crisfield within the corporate limits legally established therefor are hereby constituted and/or continued a body corporate by the name of the "City of Crisfield," with 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.

Section C1–2. Corporate limits.

The courses and distances showing the exact corporate limits of the city shall be filed at all times with the Clerk of the Circuit Court in the county in which the city is located, the Commissioner of the Land Office and the Director of the Department of Legislative Reference **[**Services**]**. In addition, a copy of the courses and distances describing the corporate boundaries shall be on file in the office of the Mayor or of the City Clerk.

ARTICLE II
Council

Section C2–1. Membership; terms.

All legislative powers of the City shall be vested in the City Council consisting of five (5) persons who shall hold office for terms of four (4) years, or the balance of any term, which shall expire on the next regular meeting of Council following the election of their successors and when their successors have qualified by being sworn. Three (3) shall be elected simultaneous with the election of the Mayor and two (2) shall be elected biennially thereafter. (Res. No. 205, 6–3–87; Res. No. 299, 6–19–02; Res. No. 380, 12–30–10.)

Section C2–2. Qualifications of Councilmen.

Councilmen shall have resided in the city for at least two (2) years immediately preceding their election and must be qualified voters of the city. (Amended 1–24–79 by Res. No. 145.)

Section C2–3. Salary.

Each Councilman shall receive an annual salary, which shall be equal for all Councilmen and shall be as specified from time to time by an ordinance passed by the Council in the regular course of its business; provided, however, that the salary specified at the time any Council takes

office shall not be changed during the period for which that Council was elected. The ordinance making any change in the salary paid to the several Councilmen, either by way of increase or decrease, shall be finally ordained prior to the municipal election for the members of the next succeeding Council and shall take effect only as to the members of the next succeeding Council.

Section C2–4. Meetings.

The newly elected Council shall meet at 6:00 p.m. on the next regular meeting of Council following its election for the purpose of organization, after which the Council shall meet regularly at such times as may be prescribed by its rules, but not less frequently than once each month. Special meetings shall be called by the Clerk–Treasurer upon the request of the Mayor or a majority of the members of the Council. All meetings of the Council shall be open to the public, except as authorized by Subtitle V, Article 10 of the State Government Article of the Annotated Code of Maryland, known as the "Open Meetings Law," and the rules of the Council shall provide that residents of the city shall have a reasonable opportunity to be heard at any open meeting in regard to any municipal question. (Res. No. 335, 6–1–06; Res. No. 381, 12–30–10.)

Section C2–5. Judge of election and qualifications.

The Council shall be the judge of the election and qualifications of its members.

Section C2–6. Officers.

The Mayor shall serve as President of the Council. The Mayor may take part in all discussions, but he shall have no vote. The Council shall elect a Vice President of the Council from among its members, who shall act as President of the Council in the absence of the President of the Council.

Section C2–7. Quorum.

A majority of the members of the Council 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 whole number of members elected to the Council.

Section C2–8. Rules and order of business; journal.

The Council shall determine its own rules and order of business. It shall keep a journal of its proceedings and enter therein the yeas and nays upon final action of any question, resolution or ordinance or at any time if required by any one member. The journal shall be open to public inspection.

Section C2–9. Vacancies.

Vacancies in the Council shall be filled as provided in § C5–14 of this Charter.

Section C2–10. Adoption and effective date of ordinances.

No ordinance shall be passed at the meeting at which it is introduced. Any regular or special meeting of the Council held not less than six (6) days nor more than sixty (60) days after the meeting at which an ordinance was introduced, it shall be passed or passed as amended or rejected or its consideration deferred to some specified future date. In cases of emergency, the above requirement may be suspended by the affirmative votes of two (2) members of the Council. Every ordinance, unless it is passed as an emergency ordinance, shall become effective at the expiration of twenty (20) calendar days following approval by the Mayor or passage by the Council over his veto. A fair summary of each ordinance shall be published at least twice in a newspaper or newspapers having general circulation in the municipality, and a statement inviting interested persons to view the complete text of the ordinance at city hall during regular business hours shall be appended to that published summary. An emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed by the Council over his veto. (Amended 7–29–99 by Res. No. 287.)

Section C2–11. Approval or veto of ordinances.

All ordinances passed by the Council shall be promptly delivered by the Clerk–Treasurer to the Mayor for his approval or disapproval. If the Mayor approves any ordinance, he shall sign it. The Mayor shall return all ordinances to the Clerk–Treasurer within six (6) days after delivery to him, including the days of delivery and return and excluding Sunday, with his approval or disapproval. Any ordinance approved by the Mayor shall be law. Any ordinance disapproved by the Mayor shall be returned with a message stating the reasons for his disapproval. Any disapproved ordinance shall not become a law unless subsequently passed by a unanimous vote of the Council within thirty five (35) calendar days from the time of the return of the ordinance. If the Mayor fails to return any ordinance within six (6) days of its delivery as aforesaid, it shall be deemed to be approved by the Mayor and shall become law in the same manner as an ordinance signed by him.

Section C2–12. Referendum.

It **[**If**]**, before the expiration of twenty (20) calendar days following approval of any ordinance by the Mayor or passage of any ordinance over the Mayor's veto, a petition is filed with the Clerk–Treasurer containing the signatures of not less than twenty percent (20%) of the qualified voters of the city and requesting that the ordinance or any part thereof be submitted to a vote of the qualified voters of the city for their approval or disapproval, the Council shall have the ordinance or the part thereof requested for referendum submitted to a vote of the qualified voters of the city at the next regular city election or, in the Council's discretion, at a special election occurring before the next regular election. No ordinance or the part thereof requested for referendum shall become effective following the receipt of such petition until and unless approved at the election by a majority of the qualified voters voting on the question. An emergency ordinance or the part thereof requested for referendum shall continue in effect for sixty (60) days following receipt of such petition. If the question of approval or disapproval of any emergency ordinance or any part thereof has not been submitted to the qualified voters

within sixty (60) days following receipt of the petition, then the operation of the ordinance or the part thereof requested for referendum shall be suspended until approved by a majority of the qualified voters voting on the question at any election. Any ordinance or part thereof disapproved by the voters shall stand repealed. The provisions of this section shall not apply to any ordinance or part thereof passed under the authority of Sections C6–6, C6–13 and C6–20 levying property taxes for the payment of indebtedness, but the provisions of this section shall apply to any ordinance or any part thereof levying special assessment charges under the provisions of Sections C10–1 and C10–2. The provisions of this section shall be self–executing, but the Council may adopt ordinances in furtherance of these provisions and not in conflict with them.

Section C2–13. Filing of ordinances.

Ordinances shall be permanently filed by the Clerk–Treasurer and shall be kept available for public inspection.

Section C2-14. Resolutions.

All resolutions shall be passed by a majority of affirmative votes of the Council members present and voting by roll call vote. All resolutions shall be attested by the City Clerk. (Res. No. 399, 8–2–12.)

ARTICLE III
Mayor

Section C3–1. Election; term.

The Mayor shall be elected for a term of four (4) years or until a successor is elected and has qualified. The newly elected Mayor shall take office on the second Monday following the election. (Res. No. 204, 6–3–87.)

Section C3–2. Qualifications.

The Mayor must have resided in the city for at least two (2) years immediately preceding his election and must be a qualified voter of the city. (Amended 1–24–79 by Res. No. 146.)

Section C3–3. Salary.

The Mayor shall receive an annual salary as set from time to time by an ordinance passed by the Council in the regular course of business; provided, however, that no change shall be made in the salary for any Mayor during the term for which he was elected. The ordinance making any change in the salary paid to the Mayor, either by way of increase or decrease, shall be finally ordained prior to the municipal election to elect the next succeeding Mayor and shall take effect only as to the next succeeding Mayor.

Section C3–4. Powers and duties.

A. The Mayor with the approval of the Council shall appoint all boards and commissions and a City Manager. The Vice President of the Council shall be Deputy Mayor. The City Manager shall recommend appointments for the heads of all offices, departments and agencies of the City government as established by this Charter or by ordinance, which appointments shall then be made by the Mayor with the approval of the Council. The City Manager shall also perform normal and routine, day-to-day responsibilities. All department heads shall serve at the pleasure of the Mayor and Council with the exception of the Chief of Police, as set forth in § C3–4H. All subordinate officers and employees of the offices, department and agencies of the City government shall be appointed and removed by the Mayor and City Manager, in accordance with the rules and regulations in any merit system which may be adopted by the Council.

B. The Mayor and City Manager shall see that the ordinances of the city are faithfully executed and shall be respectively the chief and deputy executive officers and the City Manager shall be the head of the administrative branch of the city government.

C. The City Manager shall report to the Council each year on the condition of municipal affairs and make such recommendations as he deems proper for the public good and the welfare of the city.

D. The Mayor shall have the power to veto ordinances passed by the Council as provided in § C2–11.

E. The Mayor shall annually prepare or have prepared a budget and submit it to the Council. The City Manager shall supervise the administration of the budget as adopted by the Council and shall supervise the disbursement of all moneys and have control over all expenditures to assure that budget appropriations are not exceeded.

F. The Mayor and City Manager shall have such other powers and perform such other duties as may be prescribed by this Charter or as may be required of him by the Council not inconsistent with this Charter.

G. The term of office of the City Manager shall coincide with the term of the Clerk–Treasurer. Upon recommendation by the Mayor after fourteen days prior notice to the City Manager stating the cause for the recommendation, the City Council may by majority action, remove the City Manager. The Council may also initiate action for removal with a majority decision at two successive regular meetings, and override a mayoral veto with a unanimous decision. Such action shall be taken in public session after the City Manager has been given the opportunity to respond orally or in writing. The Mayor may suspend the City Manager with pay after giving the notice until the Council acts upon the recommendation.

H. Upon the initial appointment of the Chief of Police, in the manner set forth in § C3–4(A), the Chief of Police shall serve a probationary term of two (2) years, during which the Chief of Police shall serve at the pleasure of the Mayor and Council. Upon the conclusion of the two (2) year probationary term, the Mayor with the approval of the council shall determine,

within their discretion, in a hearing open to the public, not less than fifteen (15) days following the conclusion of the probationary term cited herein, whether the probationary term shall be deemed completed or instead extended. If extended, the Chief of Police's probationary term shall be similarly reviewed and acted upon at a public hearing held within fifteen (15) days following the conclusion of the extended probationary term. If the Mayor with the approval of council retains the Chief of Police following the completion of the two (2) year probationary term, or any probation term authorized thereafter, the Chief of Police shall be terminated pursuant to only a showing of "cause." "Cause" is defined to mean incompetence, neglect of duty, malfeasance, misfeasance, insubordination, and material violation of the City's drug and/or alcohol use policies, as established from time to time.

If the Mayor decides that the Chief of Police should be terminated for cause, then the Mayor shall serve a written notice upon the Chief of Police specifying the grounds for termination. The Chief of Police shall have the opportunity to be heard in his own defense at a hearing before the Mayor and Council. The hearing shall not be open to the public and shall be held not less than five days, nor more than ten days, after the Police Chief is given notice of his termination. The hearing shall be conducted in accordance with such rules and procedures as may be proposed by the Mayor and adopted by the Council, from time to time. After the conclusion of the hearing, the Mayor and Council may privately deliberate before rendering a decision; provided, however, that a written decision must be rendered within five days from the conclusion of the hearing. In order to uphold the termination of the Chief of Police, the vote of the Mayor and at least three votes of Council must be in favor of termination. (Amended 12–13–84 by Res. No. 189; 9–30–99 by Res. No. 289; 9–27–12 by Res. No. 402.)

ARTICLE IV
Powers; Enforcement

Section C4–1. Powers.

A. *General powers*. The Council shall have the power to pass all such ordinances, not contrary to the Constitution and laws of the State of Maryland or this Charter, as it may deem necessary for the good government of the city; for the protection and preservation of the city's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the city and visitors thereto and sojourners therein.

B. *Specific powers*. The Council shall have, in addition, the power to pass ordinances, not contrary to the laws and Constitution of this State, for the following specific purposes:

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

(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 moneys for any purpose within the powers of the Council.

(5) *Auctioneers*. To regulate the sale of all kinds of property at auction within the city 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 city and the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole or other place within the city.

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

(9) *Buildings*. To make reasonable regulations in regard to buildings and signs to be erected, constructed or reconstructed in the city and to grant building permits for 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; and 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.

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

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

(12) *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 city.

(13) *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.

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

(15) *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.

(16) *Departments*. To create, change and abolish offices, departments or agencies, other than the offices, departments and agencies established by this Charter, and 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.

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

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

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

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

(21) *Filth*. To compel the occupant of any premises, building or outhouse situated in the city, 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.

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

(23) *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 city; 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 the city 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 city.

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

(25) *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 city, subject, however, to the limitations and provisions of Article 23 of the Annotated Code of Maryland. No franchise shall be granted for a longer period than fifty (50) years.

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

(27) *Garbage*. To prevent the deposit of any unwholesome substance, either on private or public property, and to compel its removal to designated points and 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.

(28) *Grants–in–aid.* To accept gifts and grants of federal or of 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.

(29) *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 city and to revoke such licenses for cause.

(30) *Health*. To protect and preserve the health of the city 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 city, to establish quarantine regulations and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; and to inspect, regulate and abate any buildings, structures or places which cause or may cause unsanitary conditions or conditions detrimental to health, provided 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.

(31) *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 city at the owner's expense, such expense to constitute a lien upon the property, collectible as tax moneys.

(32) *Jail*. To establish and regulate a station house or lockup for temporary confinement of violators of the laws and ordinances of the city or to use the county jail for such purpose.

(33) *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 city 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; and to establish and collect fees and charges for all licenses and permits issued under the authority of this Charter.

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

(35) *Lights*. To provide for the lighting of the city.

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

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

(38) *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.

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

(40) *Nuisances*. To prevent or abate by appropriate ordinance all nuisances in the city 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, and to regulate, to prohibit, to control the location of or to require the removal from the city 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 city may regulate, prohibit, control the location of or require the removal from the city of such things as stockyards, slaughterhouses, cattle or hog pens, tanneries and renderies. This listing is by way of enumeration not limitation.

(41) *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 city.

(42) *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.

(43) *Parking meters*. To install parking meters on the streets and public places of the city in such places as they shall by ordinance determine and by ordinance to prescribe rates and provisions for the use thereof, except that the installation of parking meters on any street or road maintained by the State Roads Commission of Maryland must first be approved by the Commission.

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

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

(46) *Police powers*. To prohibit, suppress and punish, within the city, 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; and all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity and drunkenness.

(47) *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 city and its inhabitants; to convey any real or leasehold property when no longer needed for the public use after having given at least twenty (20) days' public notice of the proposed conveyance; and to control, protect and maintain public buildings, grounds and property of the city.

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

(49) *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.

(50) *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; and to prescribe hours for cleaning sidewalks.

(51) *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 city.

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

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

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

(55) *Zoning*. To exercise the powers as to planning and zoning conferred upon municipal corporations generally in Article 66B of the Annotated Code of Maryland, subject, however, to the limitations and provisions of said Article.

C. *Saving clause*. The enumeration of powers in this section is not to be construed as limiting the powers of the city to the several subjects mentioned.

Section C4–2. Exercise of powers.

For the purpose of carrying out the powers granted in this Article or elsewhere in this Charter, the Council may pass all necessary ordinances. All the powers of the city shall be exercised in the manner prescribed by this Charter or, if the manner is not prescribed, then in such manner as may be prescribed by ordinance.

Section C4–3. Enforcement. (See note (1))

To ensure the observance of the ordinances of the city, the Council shall have the power to provide that violation thereof shall be a municipal infraction governed by the provisions of Chapter 10 of the City Code and § 3(b) of Article 23A of the Annotated Code of Maryland. The Council may provide that where the violation is of a continuing nature and is persisted in a conviction for one (1) violation shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction. (Amended 7–1–99 by Res. No. 283.)

ARTICLE V
Elections

Section C5–1. Voters.

Every person who is a citizen of the United States; is at least eighteen (18) years of age; and is registered in accordance with Section 42-6 of the City Code, shall be a duly qualified voter of the City. Every duly qualified voter of the City shall be entitled to vote at any or all City elections. (Amended 1–24–79 by Res. No. 149; 5–12–93 by Res. No. 238; 4–28–94 by Res. No. 245; 9–27–12 by Res. No. 400.)

Section C5–2. Board of Supervisors of Elections.

The Mayor with the advice and consent of the Council shall appoint at least three (3) resident and qualified voters of the City to serve as a Board of Supervisors of Elections. The Board shall appoint one of its members as Chairman. The term of the members shall be four (4) years staggered. Any vacancy during the unexpired term of a member shall be filled by the Mayor with the advice and consent of the Council for the remainder of the term. All members shall serve until their successors are appointed and qualified. No member of the Board shall hold or be candidates for any elective office during their term of office. The compensation of the City Board shall be determined by the Council. (Amended 9–27–12 by Res. No. 400.)

Section C5–3. Removal of Members.

Any member of the Board of Supervisors of Elections may be removed for good cause by the Council. Before removal, the member of the Board of Supervisors of Elections to be removed shall be given a written copy of the charges against him and shall have a public hearing on them before the Council if he so requests within ten (10) days after receiving the written copy of the charges against him. Good cause as used herein shall mean any cause that could result in the removal of the Mayor or a Councilmember from office. (Amended 9–27–12 by Res. No. 400.)

Section C5–4. Duties of Board.

The duties of the Board of Supervisors of Elections shall be set forth in Chapter 42 of the City Code, as the same shall be amended from time to time. (Amended 9–27–12 by Res. No. 400.)

Section C5–5. Conduct of elections.

The Council shall have the power by ordinance to conduct elections and to govern all aspects thereof, which provisions shall be set forth in Chapter 42 of the City Code, as the same shall be amended from time to time. (Amended 9–27–12 by Res. No. 400.)

Section C5–6. Nomination.

No person shall be a candidate for any public office in the government of the City unless he or she shall file a certificate of nomination with the City Clerk on or before 5:00 p.m. on the second Monday in May next preceding the City election. The certificate of nomination shall contain the person's name, address, the name of the office the person is seeking, a statement that the person is qualified to be a candidate for that office and the signature of the person. No person shall file a nomination to more than one (1) elective City office or hold more than one (1) elective City office at one time. (Amended 5–28–80 by Res. No. 160; 9–27–12 by Res. No. 400.)

Section C5–7. Filing fee.

Every candidate for the office of Mayor, at the time of filing his or her certificate of nomination, as set forth above, shall pay to the City Clerk the sum of fifteen dollars ($15). Every candidate for Councilmember, at the time of filing his or her certificate of nomination, as set forth above, shall pay to the City Clerk the sum of ten dollars ($10). (Amended 9–27–12 by Res. No. 400.)

Section C5–8. Conduct of elections generally.

It shall be the duty of the Board of Supervisors of Elections, or its authorized designee to provide for each special and general election a suitable place or places for voting. 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 Board shall keep the polls open from 7:00 a.m. to 7:00 p.m. on election days, or for longer if the Council requires it. (Amended 9–27–12 by Res. No. 400.)

Section C5–9. Election of Mayor and Council.

On the third Wednesday in June in every other even–numbered year, the qualified voters of the City shall elect one person as Mayor and three persons as Councilmembers to serve for terms of four years.

On the third Wednesday in June in every other even-number year in which the qualified voters are not voting to elect one person as Mayor and three persons as Councilmembers, the qualified voters of the City shall elect two persons as Councilmembers. (Amended 9–27–12 by Res. No. 400.)

Section C5–10. Notice of elections.

The City Clerk shall, by publication in one (1) or more newspapers published in the City of Crisfield at least ten (10) days prior to holding any general or special election, give notice thereof, stating the object of said election and the time and place and hours of the same. (Amended 9–27–12 by Res. No. 400.)

Section C5–11. Challengers and Watchers.

Challengers and watchers representing any candidate in any primary or City election shall be allowed to be present at any voting precinct during the voting and counting of the ballots as provided by law with respect to general elections. (Amended 9–27–12 by Res. No. 400.)

Section C5–12. Vote Count.

Within forty-eight hours after the closing of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate and shall certify the results of the

election to the Clerk–Treasurer of Crisfield, who shall record the results in the minutes of the Council. The candidate for Mayor who received the highest number of votes shall be declared Mayor. The candidates for Councilmember with the highest number of votes shall be declared elected as Councilmember to the number of offices being filled. All ballots and other records used in any town elections shall be preserved for at least six months from the date of the election. (Amended 12–30–10 by Res. No. 382; 9–27–12 by Res. No. 400.)

Section C5–13. Vacancies.

In case of a vacancy for any reason in the Council, the Council, within four (4) weeks of the occurrence of the vacancy, shall elect some qualified person to fill such vacancy for the unexpired term. In case of a vacancy for any reason in the office of Mayor, the Council, within four (4) weeks of the occurrence of the vacancy, shall elect some qualified person to serve as Acting Mayor for the unexpired term. Any vacancies in either the Council or the office of Mayor shall be filled by a majority vote of all the members of the Council. In case the Mayor or any Councilman shall fail to qualify within five (5) days of notification of election, a vacancy shall exist to be filled as provided in this section. The Council shall immediately certify any vote so taken to the City Clerk. The City Clerk shall record the vote and shall forthwith notify the person so elected, who shall, within five (5) days of notice, qualify in the manner as regularly elected City officials. (Amended 9–27–12 by Res. No. 400.)

Section C5–14. Recount.

In a general or special election, a recount may be requested in accordance with the State Election Article. A recount in such an election shall be conducted in the manner provided in the State Election Article. (Amended 9–27–12 by Res. No. 400.)

Section C5–15. Violations and penalties.

Any person who fails to perform any duty required of him or her under the provisions of this Article or Chapter 42 of the Code, in any manner, willfully or corruptly violates any of the provisions of this Article or Chapter 42 of the Code, or does anything that will or will tend to affect fraudulently any registration, nomination, or City election shall be referred to the County's State's Attorney's Office for prosecution. Any person who is convicted shall cease to hold office or employment with the City. (Amended 9–27–12 by Res. No. 400.)

ARTICLE VI
Finance

Section C6–1. Appointment, term and compensation of Clerk–Treasurer. (See note (1))

There shall be a Clerk–Treasurer appointed by the Mayor with the approval of the Council for a term of four (4) years or until his successor is appointed and qualified. Compensation shall be determined by the Council. The Clerk–Treasurer shall be the chief financial officer of the city. The financial powers of the city, except as otherwise provided by this Charter, shall be exercised by the Clerk–Treasurer under the direct supervision of the Mayor and City Manager. (Amended 4–4–85 by Res. No. 190.)

Section C6–2. Powers and duties of Clerk–Treasurer.

Under the supervision of the Mayor, the Clerk–Treasurer shall have the authority and shall be required to:

A. Prepare, at the request of the Mayor, an annual budget to be submitted by the Mayor to the Council.

B. Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to assure that budget appropriations are not exceeded.

C. Maintain a general accounting system for the city in such form as the Council may require, not contrary to state law.

D. Submit, at the end of each fiscal year and at such other times as the Council may require, a complete financial report to the Council through the Mayor.

E. Ascertain that all taxable property within the city is assessed for taxation.

F. Collect all taxes, special assessments, license fees, liens and all other revenues, including utility revenues, of the city and all other revenues for whose collection the city is responsible and receive any funds receivable by the city.

G. Have custody of all public moneys belonging to or under the control of the city, except as to funds in the control of any set of trustees, and have custody of all bonds and notes of the city.

H. Do such other things in relation to the fiscal or financial affairs of the city as the Mayor or the Council may require or as may be required elsewhere in this Charter.

Section C6–3. Bond of Clerk–Treasurer.

The Clerk–Treasurer shall provide a bond with such corporate surety and in such amount as the Council by ordinance may require.

Section C6–4. Fiscal year.

The city shall operate on an annual budget. The fiscal year of the city shall begin on the first day of July and shall end on the 30th day of June in each year. Such fiscal year shall constitute the tax year, the budget year and the accounting year. (Amended 1–24–79 by Res. No. 147.)

Section C6–5. Submission of budget to Council; public inspection.

The Mayor, on such date as the Council by ordinance shall determine, but at least twenty (20) days before the beginning of any fiscal year, shall submit a budget to the Council. The 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 budget shall be a public record in the office of the Clerk–Treasurer and open to public inspection by anyone during normal business hours.

Section C6–6. Amendment and adoption of budget.

The Council may insert new items or may increase or decrease the items of the budget. Where the Council shall increase the total proposed expenditures, it shall also increase the total anticipated revenues in an amount at least equal to such total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of at least a majority of the total elected membership of the Council shall be necessary for adoption.

Section C6–7. Appropriations.

No public money shall be expended without having been appropriated by the Council. 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.

Section C6–8. Transfer of funds.

Any transfer of funds between major appropriations for different purposes by the Mayor must be approved by the Council before becoming effective.

Section C6–9. Over–expenditure.

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 section 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 for services for a period exceeding the budget year in which such contract is made when such contract is permitted by law.

Section C6–10. Lapse of appropriations at end of budget year.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered.

Section C6–11. Issuance of checks.

All checks issued in payment of salaries or other municipal obligations shall be issued by the Clerk–Treasurer and shall be countersigned by the Mayor.

Section C6–12. Taxable property.

1. All real property and all tangible personal property within the corporate limits of the city 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.

2. The property tax levied upon any real property in the City of Crisfield that is owned by and used as the principal residence of an individual who is at least seventy (70) years old shall, upon application of that individual, be reduced by One Hundred Dollars ($100.00) per tax year, subject to such regulations and procedures for the application and uniform processing of requests, and for the imposition of any additional eligibility criteria, as the Mayor and City Council of Crisfield shall by resolution adopt.

3. The property tax levied upon any real property in the City of Crisfield that is not eligible for the Homestead Property Tax Credit under Section 9–105 of the Tax–Property Article of the Annotated Code of Maryland, which is improved by a structure used for commercial purposes, and which employs one or more full time workers on site, shall, upon application of the owner, be reduced by the amount from which the current year's taxable assessment exceeds the prior year's taxable assessment by more than twenty percent (20%), subject to such regulations and procedures for the application and uniform processing of requests, and for the imposition of any additional eligibility criteria, as the Mayor and City Council of Crisfield shall by resolution adopt. However, no property owner shall be eligible for a tax credit under this paragraph if the increase of the owner's property assessment results from a revaluation under Section 8–104C of the Tax–Property Article of the Annotated Code of Maryland.

4. The property tax levied upon any real property in the City of Crisfield that qualifies as "Commercial Waterfront Property," within the meaning of Section 9–248 of the Tax–Property Article of the Annotated Code of Maryland, shall, upon application of the owner of that property, be reduced by five cents ($.05) per One Hundred Dollars ($100.00) of assessed value, per tax year, subject to such regulations and procedures of the application and uniform

processing of requests, and for the imposition of any additional eligibility criteria, as the Mayor and City Council of Crisfield shall by resolution adopt.

5. During a single tax year, the owner of real property in the City of Crisfield may take advantage of the credit afforded by Subsection 3, or Subsection 4, above, but may not take advantage of both. (Res. No. 359, 9–11–08).

Section C6–13. Determination of tax 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.

Section C6–14. Notice of tax levy.

Immediately after the levy is made by the Council 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 city. 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 date established by this Charter all taxes levied on his property.

Section C6–15. Due date for taxes; overdue taxes.

Except for taxpayers who have elected to pay taxes semiannually, the taxes provided for in § C6–13 of this Charter shall be due and payable on the first day of July in the year for which they are levied and shall be overdue and in arrears on the first day of the following October. For taxpayers electing to any taxes semiannually, the first semiannual installment shall be due and payable on the first day of July in the year for which the taxes are levied and shall be overdue and in arrears on the first day of the following October, and the second semiannual installment shall be due and payable on the first day of January in the year for which they are levied and shall be overdue and in arrears on the first day of the following April. Overdue taxes shall bear interest at such rate as shall be established from time to time by ordinance duly enacted. All taxes not paid and in arrears shall be collected as provided in § C6–16 of this Charter. (Amended 1–24–79 by Res. No. 148; Res. No. 257, 8–17–96.)

Section C6–16. Sale of tax–delinquent property.

A list of all property on which the city taxes have not been paid and which are in arrears, as provided by § C6–15 of this Charter, shall be turned over by the Clerk–Treasurer to the official of the county responsible for the sale of tax–delinquent property as provided in state law. All property listed thereon shall, if necessary, be sold for taxes by this county official in the manner prescribed by state law.

Section C6–17. Fees.

All fees received by an officer or employee of the city government in his official capacity shall belong to the city government and be accounted for to the city.

Section C6–18. Audits.

The financial books and accounts of the city shall be audited annually as required by § 44 of Article 19 of the Annotated Code of Maryland (1951), as amended.

Section C6–19. Tax anticipation borrowing.

During the first six (6) months of any fiscal year, the city shall have the power to borrow in anticipation of the collection of the property tax levied for that fiscal year and to issue tax anticipation notes or other evidences of indebtedness as evidence of such borrowing. Such tax anticipation notes or other evidences of indebtedness shall be a first lien upon the proceeds of such tax and shall mature and be paid not later than six (6) months after the beginning of the fiscal year in which they are issued. No tax anticipation notes or other evidences of indebtedness shall be issued which will cause the total tax anticipation indebtedness of the city to exceed fifty percent (50%) of the property tax levy for the fiscal year in which such notes or other evidences of indebtedness are issued. All tax anticipation notes or other evidences of indebtedness shall be authorized by ordinance before being issued. The Council shall have the power to regulate all matters concerning the issuance and sale of tax anticipation notes.

Section C6–20. Payment of indebtedness.

The power and obligation of the city to pay any and all bonds, notes or other evidences of indebtedness issued by it under the authority of this Charter shall be unlimited, and the city shall levy ad valorem taxes upon all the taxable property of the city for the payment of such bonds, notes or other evidences of indebtedness and interest thereon without limitation of amount. The faith and credit of the city is hereby pledged for the payment of the principal of and the interest

on all bonds, notes or other evidences of indebtedness hereafter issued under the authority of this Charter, whether or not such pledge is stated in the bonds, notes or other evidences of indebtedness or in the ordinance authorizing their issuance.

Section C6–21. Prior evidences of indebtedness.

All bonds, notes or other evidences of indebtedness validly issued by the city previous to the effective date of this Charter and all ordinances passed concerning them are hereby declared to be valid, legal and binding and of full force and effect as if herein fully set forth.

Section C6–22. Purchasing; contracts.

All purchases and contracts for the city government shall be made by the Clerk–Treasurer. The Council may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all city purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements or contractual service involving more than four thousand dollars ($4,000.) shall be made on written contract. The Clerk–Treasurer shall be required to seek or solicit sealed bids in such manner as may be reasonably calculated to give notice to prospective bidders, whether by, posting, distribution, advertisement, dissemination through the Internet or otherwise for all such written contracts. Such written contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion and responsibility of bidders being considered. All such written contracts shall be approved by the Council before becoming effective. The Clerk–Treasurer shall have the right to reject all bids and readvertise. The city at any time in its discretion may employ its own forces for the construction or reconstruction of public improvements without advertising for or readvertising for or receiving bids. All written contracts may be protected by such bonds, penalties and conditions as the city may require. (Amended 8–15–85 by Res. No. 191; 3–31–94 by Res. No. 243; 7–1–99 by Res. No. 285.)

ARTICLE VII
Personnel

Section C7–1. Clerk to the Council.

The Clerk–Treasurer shall serve as Clerk to the Council. He shall attend every meeting of the Council and keep a full and accurate account of the proceedings of the Council. He shall keep such other records and perform such other duties as may be required by this Charter or the Council.

Section C7–2. City Attorney.

The Mayor with the approval of the Council may appoint a City Attorney. The City Attorney shall be a member of the bar of the Maryland Court of Appeals. The City Attorney shall be the legal adviser of the city and shall perform such duties in this connection as may be required by the Council or the Mayor. His compensation shall be determined by the Council. The

city shall have the power to employ such legal consultants as it deems necessary from time to time.

Section C7–3. Authority to employ personnel.

The city 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 city government.

Section C7–4. Merit system.

The city may provide by ordinance for appointments and promotions in the administrative service on the basis of merit and fitness. To carry out this purpose, the Council shall have the power to adopt such rules and regulations governing the operation of a merit system as it deems desirable or necessary. Among other things, these rules and regulations may provide for competitive examinations, the use of eligible lists, a classification plan, a compensation plan, a probation period, appeals by employees included within the classified service from dismissal or other disciplinary action and vacation and sick leave regulations. The city may request and avail itself of the facilities of the Commissioner of State Personnel for the administration of its merit system as provided in state law.

Section C7–5. Classified and unclassified service.

A. The civil service of the city shall be divided into the unclassified and classified service.

B. The unclassified service shall comprise the following offices and positions, which shall not be included within the merit system:

(1) The Mayor, the Councilmen and persons appointed to fill vacancies in these positions.

(2) The Clerk–Treasurer and the City Attorney.

(3) The heads of all offices, departments and agencies and members of city boards and commissions.

(4) Part–time, temporary and unpaid offices and positions.

C. The classified service shall comprise all positions not specifically included by this section in the unclassified service. All offices and positions included in the classified service shall be subject to any merit system rules and regulations which may be adopted.

Section C7–6. Restrictions on officers and employees; violations and penalties.

A. If a merit system is adopted, no person in the classified service of the city or seeking admission thereto shall be appointed, promoted, demoted, removed or in any way favored or discriminated against because of his political or religious opinions or affiliations or any other factors not related to ability to perform the work; no person shall willfully or corruptly commit or attempt to commit any fraud preventing the impartial execution of the personnel provisions of this Charter or of the rules and regulations made thereunder; no officer or employee in the classified service of the city shall continue in such position after becoming a candidate for nomination or election to any public office; no person seeking appointment to or promotion in the classified service of the city shall, either directly or indirectly, give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with his appointment, proposed appointment, promotion or proposed promotion; no person shall orally, by letter or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any person holding a position in the classified service of the city; and no person holding a position in the classified service of the city shall make any contribution to the campaign funds of any political party or any candidate for public office or take any part in the management, affairs or political campaign of any political party or candidate for public office, further than in the exercise of his right as a citizen to express his opinion and to cast his vote.

B. Any person who, by himself or with others, willfully or corruptly violates any of the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as provided in § C12–4A. Any person who is convicted under this section shall, for a period of five (5) years, be ineligible for appointment to or employment in a position in the city service and shall, if he is an officer or employee of the city, immediately forfeit the office or position he holds. (See note (1))

Section C7–7. Retirement system.

The city 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 city.

Section C7–8. Compensation of officers and employees.

The compensation of all officers and employees of the city shall be determined by the Mayor with the approval of the Council subject to the restrictions imposed upon establishing the salaries of the Councilmen and Mayor and to budgetary limitations. (Amended 1–29–99 by Res. No. 288.)

Section C7–9. Benefit programs.

The city is authorized and empowered by ordinance to provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees and to expend public moneys of the city for such programs. (Amended 7–1–99 by Res. No. 286.)

ARTICLE VIII
Public Ways and Sidewalks

Section C8–1. Definition.

The term "public ways," as used in this Charter, shall include all streets, avenues, roads, highways, public thoroughfares, lanes and alleys.

Section C8–2. Control of public ways.

The city shall have control of all public ways in the city, except such as may be under the jurisdiction of the Maryland State Roads Commission. Subject to the laws of the State of Maryland and this Charter, the city may do whatever it deems necessary to establish, operate and maintain in good condition the public ways of the city.

Section C8–3. Powers with regard to public ways.

The city shall have the power:

A. To establish, regulate and change from time to time the grade lines, width and construction materials of any city public way or part thereof, bridges, curbs and gutters.

B. To grade, lay out, construct, open, extend and make new city public ways.

C. To grade, straighten, widen, alter, improve or close up any existing city public way or part thereof.

D. To pave, surface, repave or resurface any city public way or part thereof.

E. To install, construct, reconstruct, repair and maintain curbs and/or gutters along any city public way or part thereof.

F. To construct, reconstruct, maintain and repair bridges.

G. To name city public ways.

H. To have surveys, plans, specifications and estimates made for any of the above activities or projects or parts thereof.

Section C8–4. Powers with regard to sidewalks.

The city 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 on city property along any public way or part thereof.

B. To grade, lay out, construct, reconstruct, pave, repave, repair, extend or otherwise alter sidewalks on city property 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 city 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 city may do the work, and the expense shall be a lien on the property and shall be collectible in the same manner as are city taxes or by suit at law.

ARTICLE IX
Water and Sewers

Section C9–1. Powers with regard to sewer and water systems.

The city shall have the power:

A. To construct, operate and maintain a water system and water plant.

B. To construct, operate and maintain a sanitary sewerage system and a sewage treatment plant.

C. To construct, operate and maintain a stormwater drainage system and stormwater sewers.

D. To construct, maintain, reconstruct, enlarge, alter, repair, improve or dispose of all parts, installations and structures of the above plants and systems.

E. To have surveys, plans, specifications and estimates made for any of the above plants and systems or parts thereof or the extension thereof.

F. To do all things it deems necessary for the efficient operation and maintenance of the above plants and systems.

Section C9–2. Placing of structures in public ways.

Any public service corporation 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 city shall submit plans to the city and obtain written approval upon such conditions and subject to such limitations as may be imposed by the city. 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 stormwater systems, the city may order it removed.

Section C9–3. Obstructions.

All individuals, firms or corporations having mains, conduits, pipes or other structures in, on or over any public way in the city or in the county which impede the establishment, construction or operation of any city sewer or water main shall, upon reasonable notice, remove or adjust the constructions at their own expense to the satisfaction of the city. If necessary to carry out the provisions of this section, the city may use its condemnation powers provided in § C11–2. Any violation of an ordinance passed under the provisions of this section may be made a misdemeanor.

Section C9–4. Entrance on county public ways by city.

The city may enter upon or do construction in, on or over any county 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 stormwater sewers provided for in this Charter. Unless required by the county, the city need not obtain any permit or pay any charge for these operations, but it must notify the county of its intent to enter on the public way and must leave the public way in a condition not inferior to that existing before.

Section C9–5. Connections.

The city shall provide a connection with water and sanitary sewer mains for all property abutting on any public way in which a sanitary sewer or water main is laid. When any water main or sanitary sewer is declared ready for operation by the city, all abutting property owners, after reasonable notice, shall connect all fixtures with the water or sewer main. The city may require that, if it considers existing fixtures unsatisfactory, satisfactory ones be installed and may require that all cesspools, sinkdrains and privies be abandoned, filled, removed or left in a such a way as not to injure public health. All wells found to be polluted or a menace to health may be ordered to be abandoned and closed. Any violation of an ordinance passed under the provisions of this section may be made a misdemeanor.

Section C9–6. Connection charges.

The city may make a charge, the amount to be determined by the Council, for each connection made to the city's water or sewer mains. This charge shall be uniform throughout the

city but may be changed from year to year. Arrangements for the payment of this charge shall be made before the connection is made.

Section C9–7. Prevention of waste and improper usage.

In order to prevent any leakage or waste of water or other improper use of the city's water system or sewage disposal system, the city may require such changes in plumbing, fixtures or connections as it deems necessary to prevent such waste or improper use.

Section C9–8. Private systems.

The city may by ordinance provide that no water supply, sewerage or stormwater 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, and 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, and 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 city. Any violation of an ordinance passed under the provisions of this section may be made a misdemeanor.

Section C9–9. Extension of systems beyond boundaries.

The city shall have the power to extend its water or sewerage systems beyond the city limits.

Section C9–10. Right of entry.

Any employee or agent of the city, while in the necessary pursuit of his official duties with regard to the water or sewage disposal systems operated by the city, 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 city or in the county served by the city's water or sewage disposal system. Any restraint or hindrance offered to such entry by any owner, tenant or person in possession or the agent of any of them may, by ordinance, be made a misdemeanor.

Section C9–11. 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 city water supply system. Any violation of the provisions of this section shall be a misdemeanor.

Section C9–12. Contracts for services.

The city, if it deems it advisable, may contract with any party or parties, inside or outside the city, to obtain water or to provide for the removal of sewage.

Section C9–13. Charges for services.

The city shall have the power to charge and collect such service rates, water rents, ready–to–serve charges or other charges as it deems necessary for water supplied and for the removal of sewage. These charges are to be billed and collected by the Clerk–Treasurer, and if bills are unpaid within thirty (30) days, the service may be discontinued. All charges shall be a lien on the property, collectible in the same manner as city taxes or by suit at law.

Section C9–14. Exceptions.

The provisions of this Article shall not extend to any city located in a sanitary district or special tax area or district authorized to discharge the powers provided in this Article as to the particular powers included in this authorization.

ARTICLE X
Special Assessments

Section C10–1. Power to levy special assessments.

The city 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 water mains, sanitary sewer main, stormwater 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 city; and any other item of cost which may reasonably be attributed to the project.

Section C10–2. Procedure for determining special assessments.

The procedure for special assessments, wherever authorized in this Charter, shall be as follows:

A. The cost of the project being charged for shall be assessed according to the front–foot rule of apportionment or some other equitable basis determined by the Council.

B. The amount assessed against any property for any project or improvement shall not exceed the value of the benefits accruing to the property therefrom, nor shall any special assessment be levied which shall cause the total amount of special assessments levied by the city and outstanding against any property at any time, exclusive of delinquent installments, to exceed twenty–five percent (25%) of the assessed value of the property after giving effect to the benefit accruing thereto from the project or improvement for which assessed.

C. When desirable, the affected property may be divided into different classes to be charged different rates, but, except for this, any rate shall be uniform.

D. All special assessment charges shall be levied by the Council by ordinance. Before levying any special assessment charges, the Council shall hold a public hearing. The Clerk–Treasurer shall cause notice to be given, stating the nature and extent of the proposed project, the kind of materials to be used, the estimated cost of the project, the portion of the cost to be assessed, the number of installments in which the assessment may be paid, the method to be used in apportioning the cost and the limits of the proposed area of assessment. The notice shall also state the time and place at which all persons interested or their agents or attorneys may appear before the Council and be heard concerning the proposed project and special assessment. Such notice shall be given by sending a copy thereof by mail to the owner of record of each parcel of property proposed to be assessed and to the person in whose name the property is assessed for taxation and by publication of a copy of the notice at least once in a newspaper of general circulation in the city. The Clerk–Treasurer shall present at the hearing a certificate of publication and mailing of copies of the notice, which certificate shall be deemed proof of notice, but failure to receive the mailed copy shall not invalidate the proceedings. The date of hearing shall be set at least ten (10) and not more than thirty (30) days after the Clerk–Treasurer shall have completed publication and service of notice as provided in this section. Following the hearing, the Council, in its discretion, may vote to proceed with the project and may levy the special assessment.

E. Any interested person feeling aggrieved by the levying of any special assessment under the provisions of this section shall have the right to appeal to the Circuit Court for the county within ten (10) days after the levying of any assessment by the Council.

F. Special assessments may be made payable in annual or more frequent installments over such period of time, not to exceed ten (10) years, and in such manner as the Council may determine. The Council shall determine on what date installments shall be due and payable. Interest may be charged on installments at the rate to be determined by the Council.

G. All special assessment installments shall be overdue six (6) months after the date on which they became due and payable. All special assessments shall be liens on the property, and all overdue special assessments shall be collected in the same manner as city taxes or by suit at law.

H. All special assessments shall be billed and collected by the Clerk–Treasurer.

ARTICLE XI
City Property

Section C11–1. Acquisition; possession; disposal.

The city may acquire real, personal or mixed property within or beyond the corporate limits of the city for any public purpose authorized by this chapter or by the Public General Laws of the State of Maryland by purchase, gift, bequest, devise, lease, condemnation or otherwise and may sell, lease or otherwise dispose of any such property belonging to the city. All municipal property, funds and franchises of every kind belonging to or in the possession of the city, by whatever prior name known, at the time this Charter becomes effective are vested in the city, subject to the terms and conditions thereof. (Amended 5–17–66 by Res. No. 79.)

Section C11–2. Condemnation.

The city shall have the power to condemn property of any kind or interest therein or franchise connected threrewith, in fee or as an easement, within the corporate limits of the city for any public purpose. Any activity, project or improvement authorized by the provisions of this Charter or any other state law applicable to the city shall be deemed to be a public purpose. The manner of procedure in case of any condemnation proceeding shall be that established in Article 33A of the Annotated Code of the Public General Laws of Maryland (1951 Edition, as amended), entitled "Eminent Domain."

Section C11–3. Buildings necessary for operation of city government.

The city 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 city government.

Section C11–4. Protection of city property.

The city shall have the power to do whatever may be necessary to protect city property and to keep all city property in good condition.

ARTICLE XII
General Provisions

Section C12–1. Oath of office.

A. Before entering upon the duties of their offices, the Mayor, the Councilmen, the Clerk–Treasurer, the members of the Board of Supervisors of Elections and all other persons elected or appointed to any office of profit or trust in the city government shall take and subscribe 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 ....., according to the Constitution and laws of this state."

B. The Mayor shall take and subscribe this oath or affirmation before the Clerk of the Circuit Court for the county or before one (1) of the sworn deputies of the Clerk. All other persons taking and subscribing the oath shall do so before the Mayor.

Section C12–2. Bonds.

The Clerk–Treasurer and such other officers or employees of the city as the Council or this Charter may require shall give bond in such amount and with such surety as may be required by the Council. The premiums on such bonds shall be paid by the city.

Section C12–3. Prior rights and obligations.

All right, title and interest held by the city or any other person or corporation on May 8, 1958, in and to any lien acquired under any prior Charter of the city 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 whatever existing on May 8, 1958. 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.

Section C12–4. Violations and penalties.

The City Council may provide that violations of any municipal ordinance shall be a municipal infraction within the terms of § 3(b) of Article 23A of the Annotated Code of Maryland as the same may be amended from time to time and Chapter 10 of the City Code and is further empowered to provide for same by ordinance. (Added 1–10–79 by Res. No. 142; Amended 1–24–79 by Res. No. 143; Amended 7–1–99 by Res. No. 284.)

Section C12–5. Effect of Charter on existing ordinances.

A. All ordinances, resolutions, rules and regulations in effect in the city 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. All ordinances, resolutions, rules and regulations in effect in the city at the time this Charter becomes effective, which are in conflict with the provisions of this Charter, be and the same are hereby repealed to the extent of such conflict.

Section C12–6. Severability.

If any section or part thereof 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 thereof so held invalid shall appear, except to the extent that an entire section or part thereof may be inseparably connected in meaning and effect with the section or part thereof to which such holding shall directly apply.

ARTICLE XIII
Redevelopment and Urban Renewal

(Repealed. See Appendix I.)

APPENDIX I

Urban Renewal Authority for Slum Clearance

(See Note (2))

Section A1–101. Definitions.

(a) In this appendix the following words have the meanings indicated.

(b) "Federal Government" shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(c) "Slum Area" shall mean any area 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.

(d) "Blighted Area" shall mean an area in which a majority of 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.

(e) "Urban Renewal Project" shall mean 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 thereof in accordance with an urban renewal plan. Such undertakings and activities may include -

(1) acquisition of a slum area or a blighted area or portion thereof;

(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 in the urban renewal area the urban renewal objectives of this subheading 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.

(f) "Urban Renewal Area" shall mean a slum area or a blighted area or a combination thereof which the municipality designates as appropriate for an urban renewal project.

(g) "Urban Renewal Plan" shall mean a plan, as it exists from time to time, for an urban renewal project, which plan shall be sufficiently complete to indicate such 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.

(h) "Bonds" shall mean any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures or other obligations.

(i) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other person acting in similar representative capacity.

(j) "Municipality" shall mean the Mayor and Common Council of Crisfield.

Section A1–102. Powers.

The municipality is hereby authorized and empowered to carry out urban renewal projects which shall be limited to slum clearance in slum or blighted areas and redevelopment or the rehabilitation of slum or blighted areas; to acquire in connection with such projects, within the corporate limits of the municipality, land and property of every kind and any right, interest, franchise, easement or privilege therein, including land or property and any right or interest therein already devoted to public use, by purchase, lease, gift, condemnation or any other legal means; to sell, lease, convey, transfer or otherwise dispose of any of said 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. No land or property taken by the municipality for any of the aforementioned purposes or in connection with the exercise of any of the powers which by this appendix are granted to the municipality by exercising the power of eminent domain shall 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 such compensation. All land or property needed or taken by the exercise of the power of eminent domain by the municipality for any of the aforementioned purposes or in connection with the exercise of any powers granted by this appendix is hereby declared to be needed or taken for public uses and purposes. Any or all of the activities authorized pursuant to this section shall 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 thereof. The municipality is hereby granted the following additional powers which are hereby found and declared to be necessary and proper to carry into full force and effect the specific

powers hereinbefore granted 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 such plans, which plans may include but shall not be 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 for such 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 such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government;

(3) to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this appendix, including the payment or reimbursement of reasonable actual costs incurred as a result of utility relocations when such relocations are made necessary by an urban renewal project, after making appropriate adjustment for any improvements or betterments to the utility's facilities made in connection with the relocation; and to levy taxes and assessments for such purposes; 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 such security as may be required therefor; to invest any urban renewal funds held in reserves or sinking funds or any such funds not required for immediate disbursement, in property or securities which are legal investments for other municipal funds;

(4) to hold, improve, clear or prepare for redevelopment any property acquired in connection with urban renewal projects; to mortgage, pledge, hypothecate or otherwise encumber such property; to insure or provide for the insurance of such property or operations of the municipality against any risks or hazards, including the power to pay premiums on any such 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 agreement with any other public bodies or agencies (which 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 such conditions imposed pursuant to Federal laws as the municipality may deem 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 such municipality in order that the objective of remedying slum and blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved;

(9) to exercise all or any part or combinations of powers herein granted.

Section A1–103. Establishment of Urban Renewal Agency.

The municipality may itself exercise all the powers granted by this appendix or may, if its legislative body by ordinance determines such action to be in the public interest, elect to have such powers exercised by a separate public body or agency as hereinafter provided. In the event said legislative body makes such determination, it shall proceed by ordinance to establish a public body or agency to undertake in the municipality the activities authorized by this appendix. Such ordinance shall include provisions establishing the number of members of such public body or agency, the manner of their appointment and removal, the terms of said members and their compensation. The ordinance may include such additional provisions relating to the organization of said public body or agency as may be necessary. In the event the legislative body enacts such an ordinance, all of the powers by this appendix granted to the municipality shall, from the effective date of said ordinance, be vested in the public body or agency thereby established, except:

(1) The power to pass a resolution to initiate an urban renewal project pursuant to Section A1–104 of this appendix.

(2) The power to issue general obligation bonds pursuant to Section A1–109 of this appendix.

(3) The power to appropriate funds, and to levy taxes and assessments pursuant to Section A1–102(3) of this appendix.

Section A1–104. 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 such municipality;

(2) locates and defines the said slum or blighted areas;

(3) finds that the rehabilitation, redevelopment, or a combination thereof, of such area or areas, is necessary in the interest of the public health, safety, morals or welfare of the residents of such municipality.

Section A1–105. Preparation and Approval of Plan for Urban Renewal Project.

(a) The municipality, in order to carry out the purposes of this appendix, shall prepare or cause to be prepared an urban renewal plan for slum or blighted areas in the municipality, and shall formally approve such plan. Prior to its approval of an urban renewal project, the municipality shall submit such plan to the planning body of the municipality, for review and recommendations as to its conformity with the master plan for the development of the municipality as a whole. The planning body shall submit its written recommendation with respect to the proposed urban renewal plan to the municipality within sixty days after receipt of the plan for review; upon receipt of the recommendations of the planning body or, if no recommendations are received within said sixty days, then without such recommendations, the municipality may proceed with a public hearing on the proposed urban renewal project. The municipality shall hold a public hearing on an urban renewal project after public notice thereof 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 such 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 who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan substantially conforms 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, provided that if modified after the lease or sale of real property in the urban renewal project area, the modification may be conditioned upon such approval of the owner, lessee or successor in interest as the municipality may deem advisable and in any event shall be subject to such 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 substantially change the urban renewal plan as previously approved by the municipality, the modification shall be formally approved 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 thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area and the municipality may then cause such plan or modification to be carried out in accordance with its terms.

Section A1–106. Disposal of Property in Urban Renewal Area.

(a) The municipality may sell, lease or otherwise transfer real property or any interest therein acquired for it by an urban renewal project, for residential, recreational, commercial, industrial, educational or other uses or for public use, or may retain such property or interest for public use, in accordance with the urban renewal plan, subject to such covenants, conditions and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted area or to otherwise carry out the purposes of this appendix. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban renewal plan, and may be obligated to comply with such other requirements as the municipality may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on such real property required by the urban renewal plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not 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 such 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 such plan for the prevention of the recurrence of slum or blighted areas. The municipality in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to 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 thereon. 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 such transfer and the urban renewal plan (or such part or parts of such contract or plan as the municipality may determine) may be recorded in the Land Records of the county in which the municipality is situated in such manner as to afford actual or constructive notice thereof.

(b) The municipality may dispose of real property in an urban renewal area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as hereinafter provided in this subsection. The municipality may, by public notice by publication in a newspaper having a general circulation in the community (not less than sixty days prior to the execution of any contract to sell, lease or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section) 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. Such notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those interested within a specified period of not less than sixty days after the first day of publication of said notice, and that such further information as is available may be obtained at such office as shall be designated in said notice. The municipality shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposal 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 such 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 such transfers.

(c) The municipality may temporarily operate 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) above, for such uses and purposes as may be deemed 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 conclusively presumed to have been executed in compliance with the provisions of this appendix insofar as title or other interest of any bona fide purchaser, lessees or transferees of such property is concerned.

Section A1–107. 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.

Section A1–108. Encouragement of Private Enterprise.

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

Section A1–109. 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 limitation prescribed by applicable law for the issuance and authorizations of general obligation bonds by such municipality, and also within such limitations as shall be determined by said municipality.

Section A1–110. Revenue Bonds.

(a) In addition to the authority conferred by Section A1–109 of this appendix, the municipality shall have the power to issue revenue bonds to finance the undertaking of any urban renewal project and related activities, and shall also have power to issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such 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 its undertaking and carrying out of urban renewal projects under this appendix; provided, however, that payment of such 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 such urban renewal projects, or any part thereof, 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 such indenture of trust such covenants and commitments as may be required by any purchaser for the adequate security of said bonds.

(b) Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, shall not be subject to the provisions of any other law or charter relating to the authorization issuance or sale of bonds, and are hereby specifically exempted from the restrictions contained in Sections 9, 10 and 11 of Article 31 of the Annotated Code of Maryland (1957 Edition; as amended). Bonds issued under the provisions of this Article are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

(c) Bonds issued under this section shall be authorized by resolution or ordinance of the legislative body of the municipality and may be issued in one or more series and shall bear such date or dates, shall mature at such time or times, bear interest at such rate or rates, not exceeding six per centum per annum, be in such denomination or denominations, be in such form either with or without coupon or registered, carrying such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium or payment, at such place or places, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

(d) Such bonds may be sold at not less than par at public sales held after notice published prior to such sale in a newspaper having a general circulation in the area in which the municipality is located and in such other medium of publication as the municipality may determine or may be exchanged for other bonds on the basis of par; provided, that such bonds may be sold to the Federal Government at private sale at not less than par, and, in the event less than all of the authorized principal amount of such bonds is sold to the Federal Government, the balance may be sold at private sale at not less than par at an interest cost to the municipality of not to 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 shall cease to be such officials before the delivery of such bond, or, in the event any such officials shall have become such after the date of issue thereof, said bonds shall nevertheless be valid and binding obligations of said municipality in accordance with their terms. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this appendix shall be fully negotiable.

(f) In any suit, action or proceeding involving the validity or enforceability of any bond issued under this appendix or the security therefor, any such bond reciting in substance that it has been issued by the municipality in connection with an urban renewal project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed 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, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the municipality pursuant to this appendix, provided that such 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 such bonds or other obligations, monies in an amount which (together with any other monies irrevocably committed to the payment of principal and interest on such bonds or other obligations) will suffice to pay the principal of such bonds or other obligations with interest to maturity thereon, which monies under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

Section A1–111. Separability.

If any provision of this appendix or the application thereof to any person or circumstances, is held invalid, the remainder of the appendix and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby. The powers conferred by this appendix shall be in addition and supplemental to the powers conferred by any other law.

Section A1–112. Short Title.

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

Section A1–113. 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) Obsolete.

(2) Pursuant to Article III, Section 61 of the Maryland Constitution, the General Assembly of Maryland granted urban renewal powers for slum clearance to the City of Crisfield in Chapter 615 of the Acts of the General Assembly of 1963.

Starting with the 1997 Supplement to the *Public Local Laws of Maryland – Compilation of Municipal Charters*, the urban renewal powers for slum clearance for the City of Crisfield appear as this appendix in accordance with 80 *Opinions of the Attorney General* _____ (1995) **[**Opinion No. 95–037 (September 21, 1995)**]** and Sections 10 and 11 of Chapter 14 of the Acts of the General Assembly of 1997.

Formerly, the urban renewal powers appeared as Article XIII, Sections C13–1 through C13–11, inclusive, of the charter.