

SENATE BILL 506

L3

3lr2874
CF HB 825

By: **Senator Muse**

Introduced and read first time: February 3, 2023

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: March 9, 2023

CHAPTER _____

1 AN ACT concerning

2 **Town of Forest Heights (Prince George's County) – Urban Renewal Authority**
3 **for Blight Clearance**

4 FOR the purpose of granting the Town of Forest Heights in Prince George's County the
5 authority to exercise urban renewal powers in areas zoned for commercial use for
6 blight clearance and redevelopment under Article III, Section 61 of the Maryland
7 Constitution; authorizing the municipality to levy certain taxes and issue general
8 obligation bonds and revenue bonds to carry out urban renewal powers; and
9 generally relating to urban renewal authority for blight clearance for the Town of
10 Forest Heights in Prince George's County.

11 BY adding to
12 Chapter 33 – Charter of the Town of Forest Heights
13 Section A1–101 through A1–114 to be under the new heading “Appendix I – Urban
14 Renewal Authority for Blight Clearance”
15 Public Local Laws of Maryland – Compilation of Municipal Charters
16 (2015 Replacement Edition and 2021 Supplement)

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

19 **Chapter 33 – Charter of the Town of Forest Heights**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **A1-101. DEFINITIONS.**

2 (A) IN THIS APPENDIX THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "BLIGHTED AREA" MEANS AN AREA OR SINGLE PROPERTY IN WHICH
5 THE BUILDING OR BUILDINGS HAVE DECLINED IN PRODUCTIVITY BY REASON OF
6 OBSOLESCENCE, DEPRECIATION, OR OTHER CAUSES TO AN EXTENT THAT THEY NO
7 LONGER JUSTIFY FUNDAMENTAL REPAIRS AND ADEQUATE MAINTENANCE.

8 (C) "BONDS" MEANS ANY BONDS (INCLUDING REFUNDING BONDS), NOTES,
9 INTERIM CERTIFICATES, CERTIFICATES OF INDEBTEDNESS, DEBENTURES, OR
10 OTHER OBLIGATIONS.

11 (D) "FEDERAL GOVERNMENT" MEANS THE UNITED STATES OF AMERICA OR
12 ANY AGENCY OR INSTRUMENTALITY, CORPORATE OR OTHERWISE, OF THE UNITED
13 STATES OF AMERICA.

14 (E) "MUNICIPALITY" MEANS THE TOWN OF FOREST HEIGHTS, MARYLAND.

15 (F) "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP,
16 CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY
17 POLITIC. IT INCLUDES ANY TRUSTEE, RECEIVER, ASSIGNEE, OR OTHER PERSON
18 ACTING IN SIMILAR REPRESENTATIVE CAPACITY.

19 (G) "URBAN RENEWAL AREA" MEANS A BLIGHTED AREA WHICH THE
20 MUNICIPALITY DESIGNATES AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT.

21 (H) "URBAN RENEWAL PLAN" MEANS A PLAN, AS IT EXISTS FROM TIME TO
22 TIME, FOR AN URBAN RENEWAL PROJECT. THE PLAN SHALL BE SUFFICIENTLY
23 COMPLETE TO INDICATE ANY LAND ACQUISITION, DEMOLITION, AND REMOVAL OF
24 STRUCTURES, REDEVELOPMENT, IMPROVEMENTS, AND REHABILITATION AS MAY BE
25 PROPOSED TO BE CARRIED OUT IN THE URBAN RENEWAL AREA, ZONING AND
26 PLANNING CHANGES, IF ANY, LAND USES, MAXIMUM DENSITY, AND BUILDING
27 REQUIREMENTS.

28 (I) "URBAN RENEWAL PROJECT" MEANS UNDERTAKINGS AND ACTIVITIES
29 OF A MUNICIPALITY IN AN URBAN RENEWAL AREA FOR THE ELIMINATION AND FOR
30 THE PREVENTION OF THE DEVELOPMENT OR SPREAD OF BLIGHT, AND MAY INVOLVE
31 CLEARANCE AND REDEVELOPMENT IN AN URBAN RENEWAL AREA, OR
32 REHABILITATION OR CONSERVATION IN AN URBAN RENEWAL AREA, OR ANY
33 COMBINATION OR PART OF THEM IN ACCORDANCE WITH AN URBAN RENEWAL PLAN.
34 THESE UNDERTAKINGS AND ACTIVITIES MAY INCLUDE:

1 (1) ACQUISITION OF A BLIGHTED AREA OR PORTION OF THE
2 BLIGHTED AREA;

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

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

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

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

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

21 (7) THE PRESERVATION, IMPROVEMENT, OR EMBELLISHMENT OF
22 HISTORIC STRUCTURES OR MONUMENTS.

23 **A1-102. POWERS.**

24 (A) THE MUNICIPALITY MAY UNDERTAKE AND CARRY OUT URBAN RENEWAL
25 PROJECTS IN AREAS OF THE MUNICIPALITY THAT ARE ZONED FOR COMMERCIAL
26 USE.

27 (B) THESE PROJECTS SHALL BE LIMITED:

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

30 (2) TO ACQUIRE IN CONNECTION WITH THOSE PROJECTS, WITHIN
31 THE CORPORATE LIMITS OF THE MUNICIPALITY, LAND AND PROPERTY OF EVERY

KIND AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE, INCLUDING LAND OR PROPERTY AND ANY RIGHT OR INTEREST ALREADY DEVOTED TO PUBLIC USE, BY PURCHASE, LEASE, GIFT, CONDEMNATION, OR ANY OTHER LEGAL MEANS; AND

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

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

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

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

A1-103. ADDITIONAL POWERS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (8) TO GENERALLY ORGANIZE, COORDINATE, AND DIRECT THE
33 ADMINISTRATION OF THE PROVISIONS OF THIS APPENDIX AS THEY APPLY TO THE
34 MUNICIPALITY IN ORDER THAT THE OBJECTIVE OF REMEDYING BLIGHTED AREAS
35 AND PREVENTING ITS CAUSES WITHIN THE MUNICIPALITY MAY BE PROMOTED AND

1 ACHIEVED MOST EFFECTIVELY; AND

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

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

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

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

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

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

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

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

25 THE AGENCY MAY NOT:

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

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

30 (3) APPROPRIATE FUNDS OR LEVY TAXES AND ASSESSMENTS
31 PURSUANT TO SECTION A1-103(3) OF THIS APPENDIX.

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

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

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

6 **(2) LOCATES AND DEFINES THE BLIGHTED AREA; AND**

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

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

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

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

28 **(2) THE URBAN RENEWAL PLAN CONFORMS SUBSTANTIALLY TO THE**
29 **MASTER PLAN OF THE MUNICIPALITY AS A WHOLE; AND**

30 **(3) THE URBAN RENEWAL PLAN WILL AFFORD MAXIMUM**
31 **OPPORTUNITY, CONSISTENT WITH THE SOUND NEEDS OF THE MUNICIPALITY AS A**
32 **WHOLE, FOR THE REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL**
33 **AREA BY PRIVATE ENTERPRISE.**

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

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

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

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

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

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

36 (C) THE MUNICIPALITY MAY OPERATE TEMPORARILY AND MAINTAIN REAL
37 PROPERTY ACQUIRED BY IT IN AN URBAN RENEWAL AREA FOR OR IN CONNECTION
38 WITH AN URBAN RENEWAL PROJECT PENDING THE DISPOSITION OF THE PROPERTY
39 AS AUTHORIZED IN THIS APPENDIX, WITHOUT REGARD TO THE PROVISIONS OF
40 SUBSECTION (A) OF THIS SECTION, FOR USES AND PURPOSES CONSIDERED
41 DESIRABLE EVEN THOUGH NOT IN CONFORMITY WITH THE URBAN RENEWAL PLAN.

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

A1-109. EMINENT DOMAIN.

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

A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.

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

A1-111. GENERAL OBLIGATION BONDS.

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

A1-112. REVENUE BONDS.

(A) IN ADDITION TO THE AUTHORITY CONFERRED BY SECTION A1-111 OF THIS APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE UNDERTAKING OF ANY URBAN RENEWAL PROJECT AND RELATED ACTIVITIES. ALSO, IT MAY ISSUE REFUNDING BONDS FOR THE PAYMENT OR RETIREMENT OF THE BONDS ISSUED PREVIOUSLY BY IT. THE BONDS SHALL BE MADE PAYABLE, AS TO BOTH PRINCIPAL AND INTEREST, SOLELY FROM THE INCOME, PROCEEDS, REVENUES, AND FUNDS OF THE MUNICIPALITY DERIVED FROM OR HELD IN CONNECTION WITH THE UNDERTAKING AND CARRYING OUT OF URBAN RENEWAL

PROJECTS UNDER THIS APPENDIX. HOWEVER, PAYMENT OF THE BONDS, BOTH AS TO PRINCIPAL AND INTEREST, MAY BE FURTHER SECURED BY A PLEDGE OF ANY LOAN, GRANT, OR CONTRIBUTION FROM THE FEDERAL GOVERNMENT OR OTHER SOURCE, IN AID OF ANY URBAN RENEWAL PROJECTS OF THE MUNICIPALITY UNDER THIS APPENDIX, AND BY A MORTGAGE OF ANY URBAN RENEWAL PROJECT, OR ANY PART OF A PROJECT, TITLE TO WHICH IS IN THE MUNICIPALITY. IN ADDITION, THE MUNICIPALITY MAY ENTER INTO AN INDENTURE OF TRUST WITH ANY PRIVATE BANKING INSTITUTION OF THIS STATE HAVING TRUST POWERS AND MAY MAKE IN THE INDENTURE OF TRUST COVENANTS AND COMMITMENTS REQUIRED BY ANY PURCHASER FOR THE ADEQUATE SECURITY OF THE BONDS.

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

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

- (1) BEAR A DATE OR DATES;
- (2) MATURE AT A TIME OR TIMES;
- (3) BEAR INTEREST AT A RATE OR RATES;
- (4) BE IN A DENOMINATION OR DENOMINATIONS;
- (5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR REGISTERED;
- (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;
- (7) HAVE A RANK OR PRIORITY;
- (8) BE EXECUTED IN A MANNER;

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

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

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

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

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

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

34 **(G) ALL BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS, AND**
35 **INSTITUTIONS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN**
36 **ASSOCIATIONS, INVESTMENT COMPANIES, AND OTHER PERSONS CARRYING ON A**
37 **BANKING OR INVESTMENT BUSINESS; ALL INSURANCE COMPANIES, INSURANCE**

ASSOCIATIONS, AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS; AND ALL EXECUTORS, ADMINISTRATORS, CURATORS, TRUSTEES, AND OTHER FIDUCIARIES, MAY LEGALLY INVEST ANY SINKING FUNDS, MONEYS, OR OTHER FUNDS BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY BONDS OR OTHER OBLIGATIONS ISSUED BY THE MUNICIPALITY PURSUANT TO THIS APPENDIX. HOWEVER, THE BONDS AND OTHER OBLIGATIONS SHALL BE SECURED BY AN AGREEMENT BETWEEN THE ISSUER AND THE FEDERAL GOVERNMENT IN WHICH THE ISSUER AGREES TO BORROW FROM THE FEDERAL GOVERNMENT AND THE FEDERAL GOVERNMENT AGREES TO LEND TO THE ISSUER, PRIOR TO THE MATURITY OF THE BONDS OR OTHER OBLIGATIONS, MONEYS IN AN AMOUNT WHICH (TOGETHER WITH ANY OTHER MONEYS COMMITTED IRREVOCABLY TO THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS OR OTHER OBLIGATIONS) WILL SUFFICE TO PAY THE PRINCIPAL OF THE BONDS OR OTHER OBLIGATIONS WITH INTEREST TO MATURITY ON THEM. THE MONEYS UNDER THE TERMS OF THE AGREEMENT SHALL BE REQUIRED TO BE USED FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND THE INTEREST ON THE BONDS OR OTHER OBLIGATIONS AT THEIR MATURITY. THE BONDS AND OTHER OBLIGATIONS SHALL BE AUTHORIZED SECURITY FOR ALL PUBLIC DEPOSITS. THIS SECTION AUTHORIZES ANY PERSONS OR PUBLIC OR PRIVATE POLITICAL SUBDIVISIONS AND OFFICERS TO USE ANY FUNDS OWNED OR CONTROLLED BY THEM FOR THE PURCHASE OF ANY BONDS OR OTHER OBLIGATIONS. WITH REGARD TO LEGAL INVESTMENTS, THIS SECTION MAY NOT BE CONSTRUED TO RELIEVE ANY PERSON OF ANY DUTY OF EXERCISING REASONABLE CARE IN SELECTING SECURITIES.

A1-113. SHORT TITLE.

THIS APPENDIX SHALL BE KNOWN AND MAY BE CITED AS THE FOREST HEIGHTS URBAN RENEWAL AUTHORITY FOR BLIGHT CLEARANCE ACT.

A1-114. AUTHORITY TO AMEND OR REPEAL.

THIS APPENDIX, ENACTED PURSUANT TO ARTICLE III, SECTION 61 OF THE MARYLAND CONSTITUTION, MAY BE AMENDED OR REPEALED ONLY BY THE GENERAL ASSEMBLY OF MARYLAND.

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