

HOUSE BILL 825

L3

(3lr2869)

ENROLLED BILL

— *Environment and Transportation/Finance* —

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

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

4 **PG 410–23**

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

12 BY adding to
13 Chapter 33 – Charter of the Town of Forest Heights

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.

Italics indicate opposite chamber/conference committee amendments.



Section A1-101 through A1-114 to be under the new heading “Appendix I – Urban
Renewal Authority for Blight Clearance”
Public Local Laws of Maryland – Compilation of Municipal Charters
(2015 Replacement Edition and 2021 Supplement)

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

Chapter 33 – Charter of the Town of Forest Heights

APPENDIX I – URBAN RENEWAL AUTHORITY FOR BLIGHT CLEARANCE

A1-101. DEFINITIONS.

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

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

(C) “BONDS” MEANS ANY BONDS (INCLUDING REFUNDING BONDS), NOTES,
INTERIM CERTIFICATES, CERTIFICATES OF INDEBTEDNESS, DEBENTURES, OR
OTHER OBLIGATIONS.

(D) “FEDERAL GOVERNMENT” MEANS THE UNITED STATES OF AMERICA OR
ANY AGENCY OR INSTRUMENTALITY, CORPORATE OR OTHERWISE, OF THE UNITED
STATES OF AMERICA.

(E) “MUNICIPALITY” MEANS THE TOWN OF FOREST HEIGHTS, MARYLAND.

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

(G) “URBAN RENEWAL AREA” MEANS A BLIGHTED AREA WHICH THE
MUNICIPALITY DESIGNATES AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT.

(H) “URBAN RENEWAL PLAN” MEANS A PLAN, AS IT EXISTS FROM TIME TO
TIME, FOR AN URBAN RENEWAL PROJECT. THE PLAN SHALL BE SUFFICIENTLY
COMPLETE TO INDICATE ANY LAND ACQUISITION, DEMOLITION, AND REMOVAL OF
STRUCTURES, REDEVELOPMENT, IMPROVEMENTS, AND REHABILITATION AS MAY BE
PROPOSED TO BE CARRIED OUT IN THE URBAN RENEWAL AREA, ZONING AND

1 PLANNING CHANGES, IF ANY, LAND USES, MAXIMUM DENSITY, AND BUILDING
2 REQUIREMENTS.

3 (I) "URBAN RENEWAL PROJECT" MEANS UNDERTAKINGS AND ACTIVITIES
4 OF A MUNICIPALITY IN AN URBAN RENEWAL AREA FOR THE ELIMINATION AND FOR
5 THE PREVENTION OF THE DEVELOPMENT OR SPREAD OF BLIGHT, AND MAY INVOLVE
6 CLEARANCE AND REDEVELOPMENT IN AN URBAN RENEWAL AREA, OR
7 REHABILITATION OR CONSERVATION IN AN URBAN RENEWAL AREA, OR ANY
8 COMBINATION OR PART OF THEM IN ACCORDANCE WITH AN URBAN RENEWAL PLAN.
9 THESE UNDERTAKINGS AND ACTIVITIES MAY INCLUDE:

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

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

13 (3) INSTALLATION, CONSTRUCTION OR RECONSTRUCTION OF
14 STREETS, UTILITIES, PARKS, PLAYGROUNDS, AND OTHER IMPROVEMENTS
15 NECESSARY FOR CARRYING OUT THE URBAN RENEWAL OBJECTIVES OF THIS
16 APPENDIX IN ACCORDANCE WITH THE URBAN RENEWAL PLAN;

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

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

24 (6) ACQUISITION OF ANY OTHER REAL PROPERTY IN THE URBAN
25 RENEWAL AREA WHERE NECESSARY TO ELIMINATE UNHEALTHFUL, UNSANITARY,
26 OR UNSAFE CONDITIONS, LESSEN DENSITY, ELIMINATE OBSOLETE OR OTHER USES
27 DETRIMENTAL TO THE PUBLIC WELFARE, OR OTHERWISE TO REMOVE OR PREVENT
28 THE SPREAD OF BLIGHT OR DETERIORATION, OR TO PROVIDE LAND FOR NEEDED
29 PUBLIC FACILITIES; AND

30 (7) THE PRESERVATION, IMPROVEMENT, OR EMBELLISHMENT OF
31 HISTORIC STRUCTURES OR MONUMENTS.

32 A1-102. POWERS.

(A) THE MUNICIPALITY MAY UNDERTAKE AND CARRY OUT URBAN RENEWAL PROJECTS IN AREAS OF THE MUNICIPALITY THAT ARE ZONED FOR COMMERCIAL ~~OR RESIDENTIAL~~ USE.

(B) THESE PROJECTS SHALL BE LIMITED:

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

(2) TO ACQUIRE IN CONNECTION WITH THOSE PROJECTS, WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY, LAND AND PROPERTY OF EVERY KIND AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE, INCLUDING LAND OR PROPERTY AND ANY RIGHT OR INTEREST ALREADY DEVOTED TO PUBLIC USE, BY PURCHASE, LEASE, GIFT, CONDEMNATION, OR ANY OTHER LEGAL MEANS; AND

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

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

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

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

A1-103. ADDITIONAL POWERS.

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

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

10 (I) PLANS FOR CARRYING OUT A PROGRAM OF VOLUNTARY OR
11 COMPULSORY REPAIR AND REHABILITATION OF BUILDINGS AND IMPROVEMENTS;

12 (II) PLANS FOR THE ENFORCEMENT OF CODES AND
13 REGULATIONS RELATING TO THE USE OF LAND AND THE USE AND OCCUPANCY OF
14 BUILDINGS AND IMPROVEMENTS AND TO THE COMPULSORY REPAIR,
15 REHABILITATION, DEMOLITION, OR REMOVAL OF BUILDINGS AND IMPROVEMENTS;
16 AND

17 (III) APPRAISALS, TITLE SEARCHES, SURVEYS, STUDIES, AND
18 OTHER PLANS AND WORK NECESSARY TO PREPARE FOR THE UNDERTAKING OF
19 URBAN RENEWAL PROJECTS AND RELATED ACTIVITIES, AND TO APPLY FOR,
20 ACCEPT, AND UTILIZE GRANTS OF FUNDS FROM THE FEDERAL GOVERNMENT OR ANY
21 OTHER GOVERNMENTAL ENTITY FOR THOSE PURPOSES;

22 (2) TO PREPARE PLANS FOR THE RELOCATION OF PERSONS
23 (INCLUDING FAMILIES, BUSINESS CONCERNS, AND OTHERS) DISPLACED FROM AN
24 URBAN RENEWAL AREA, AND TO MAKE RELOCATION PAYMENTS TO OR WITH
25 RESPECT TO THOSE PERSONS FOR MOVING EXPENSES AND LOSSES OF PROPERTY
26 FOR WHICH REIMBURSEMENT OR COMPENSATION IS NOT OTHERWISE MADE,
27 INCLUDING THE MAKING OF PAYMENTS FINANCED BY THE FEDERAL GOVERNMENT;

28 (3) TO APPROPRIATE WHATEVER FUNDS AND MAKE WHATEVER
29 EXPENDITURES AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS
30 APPENDIX, INCLUDING, BUT NOT LIMITED:

31 (I) TO THE PAYMENT OF ANY AND ALL COSTS AND EXPENSES
32 INCURRED IN CONNECTION WITH, OR INCIDENTAL TO, THE ACQUISITION OF LAND
33 OR PROPERTY, AND FOR THE DEMOLITION, REMOVAL, RELOCATION, RENOVATION,
34 OR ALTERATION OF LAND, BUILDINGS, STREETS, HIGHWAYS, ALLEYS, UTILITIES, OR
35 SERVICES, AND OTHER STRUCTURES OR IMPROVEMENTS, AND FOR THE
36 CONSTRUCTION, RECONSTRUCTION, INSTALLATION, RELOCATION, OR REPAIR OF

1 STREETS, HIGHWAYS, ALLEYS, UTILITIES, OR SERVICES, IN CONNECTION WITH
2 URBAN RENEWAL PROJECTS;

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

4 (III) TO BORROW MONEY AND TO APPLY FOR AND ACCEPT
5 ADVANCES, LOANS, GRANTS, CONTRIBUTIONS, AND ANY OTHER FORM OF FINANCIAL
6 ASSISTANCE FROM THE FEDERAL GOVERNMENT, THE STATE, COUNTY, OR OTHER
7 PUBLIC BODIES, OR FROM ANY SOURCES, PUBLIC OR PRIVATE, FOR THE PURPOSES
8 OF THIS APPENDIX, AND TO GIVE WHATEVER SECURITY AS MAY BE REQUIRED FOR
9 THIS FINANCIAL ASSISTANCE; AND

10 (IV) TO INVEST ANY URBAN RENEWAL FUNDS HELD IN RESERVES
11 OR SINKING FUNDS OR ANY OF THESE FUNDS NOT REQUIRED FOR IMMEDIATE
12 DISBURSEMENT IN PROPERTY OR SECURITIES WHICH ARE LEGAL INVESTMENTS FOR
13 OTHER MUNICIPAL FUNDS;

14 (4) (I) TO HOLD, IMPROVE, CLEAR, OR PREPARE FOR
15 REDEVELOPMENT ANY PROPERTY ACQUIRED IN CONNECTION WITH URBAN
16 RENEWAL PROJECTS;

17 (II) TO MORTGAGE, PLEDGE, HYPOTHECATE, OR OTHERWISE
18 ENCUMBER THAT PROPERTY; AND

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

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

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

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

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

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

A1-104. ESTABLISHMENT OF URBAN RENEWAL AGENCY.

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

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

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

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

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

A1-105. POWERS WITHHELD FROM THE AGENCY.

THE AGENCY MAY NOT:

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

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

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

A1-106. INITIATION OF PROJECT.

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

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

(2) LOCATES AND DEFINES THE BLIGHTED AREA; AND

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

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

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

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

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

3 (3) THE URBAN RENEWAL PLAN WILL AFFORD MAXIMUM
4 OPPORTUNITY, CONSISTENT WITH THE SOUND NEEDS OF THE MUNICIPALITY AS A
5 WHOLE, FOR THE REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL
6 AREA BY PRIVATE ENTERPRISE.

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

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

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

24 (A) THE MUNICIPALITY, BY ORDINANCE, MAY SELL, LEASE, OR OTHERWISE
25 TRANSFER REAL PROPERTY OR ANY INTEREST IN IT ACQUIRED BY IT FOR AN URBAN
26 RENEWAL PROJECT TO ANY PERSON FOR RESIDENTIAL, RECREATIONAL,
27 COMMERCIAL, INDUSTRIAL, EDUCATIONAL, OR OTHER USES OR FOR PUBLIC USE, OR
28 IT MAY RETAIN THE PROPERTY OR INTEREST FOR PUBLIC USE, IN ACCORDANCE
29 WITH THE URBAN RENEWAL PLAN AND SUBJECT TO WHATEVER COVENANTS,
30 CONDITIONS, AND RESTRICTIONS, INCLUDING COVENANTS RUNNING WITH THE
31 LAND, AS IT CONSIDERS NECESSARY OR DESIRABLE TO ASSIST IN PREVENTING THE
32 DEVELOPMENT OR SPREAD OF FUTURE BLIGHTED AREAS OR TO OTHERWISE CARRY
33 OUT THE PURPOSES OF THIS APPENDIX. THE PURCHASERS OR LESSEES AND THEIR
34 SUCCESSORS AND ASSIGNS SHALL BE OBLIGATED TO DEVOTE THE REAL PROPERTY
35 ONLY TO THE USES SPECIFIED IN THE URBAN RENEWAL PLAN AND MAY BE
36 OBLIGATED TO COMPLY WITH WHATEVER OTHER REQUIREMENTS THE
37 MUNICIPALITY DETERMINES TO BE IN THE PUBLIC INTEREST, INCLUDING THE
38 OBLIGATION TO BEGIN WITHIN A REASONABLE TIME ANY IMPROVEMENTS ON THE

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

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

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

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

A1-109. EMINENT DOMAIN.

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

A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.

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

A1-111. GENERAL OBLIGATION BONDS.

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

A1-112. REVENUE BONDS.

(A) IN ADDITION TO THE AUTHORITY CONFERRED BY SECTION A1-111 OF THIS APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE

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

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

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

- 30 (1) BEAR A DATE OR DATES;
- 31 (2) MATURE AT A TIME OR TIMES;
- 32 (3) BEAR INTEREST AT A RATE OR RATES;
- 33 (4) BE IN A DENOMINATION OR DENOMINATIONS;
- 34 (5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR
35 REGISTERED;
- 36 (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;

1 (7) HAVE A RANK OR PRIORITY;

2 (8) BE EXECUTED IN A MANNER;

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

5 (10) BE SECURED IN A MANNER; AND

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

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

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

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

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

A1-113. SHORT TITLE.

THIS APPENDIX SHALL BE KNOWN AND MAY BE CITED AS THE 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.