CHARTER

OF THE

Town of Goldsboro

CAROLINE COUNTY, MARYLAND

As enacted by an unnumbered resolution,
effective August 1, 1989

(Reprinted November 2008)

The Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)
Other Areas: (1-800-492-7122)
TTY: (410-946-5401) (301-970-5401)
TTY users may also contact the
Maryland Relay Service to contact the General Assembly

E–mail: libr@mlis.state.md.us
Home Page: http://mlis.state.md.us

The Department of Legislative Services does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the admission or access to its programs or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at Library and Information Services of the Department of Legislative Services.

CONTENTS

ARTICLE I
Corporate Name and Boundaries

Section

101. Incorporated; General Powers; Mayor and Council.
102. Boundaries.

ARTICLE II
General Powers

201. Mayor and Council; Qualifications, Tenure.
202. Meetings of Mayor and Council.
203. Mayor.
204. Mayor's Incapacity.
205. Councilperson.
206. Powers.
207. Exercise of Powers.
208. Enforcement.
209. Ordinances.
210. File of Ordinances.

ARTICLE III
Finance

301. Clerk–Treasurer.
302. Powers and Duties of Clerk–Treasurer.
303. Bond of Clerk–Treasurer.
304. Fiscal Year.
305. Budget.
306. Budget Adoption.
307. Appropriations.
308. Transfer of Funds.
309. Over–Expenditure Forbidden.
310. Appropriations Lapse After One Year.
311. Checks.
312. Taxable Property.
313. Budget Authorizes Levy.
314. Notice of Tax Levy.
315. Overdue Taxes.
316. Sale of Tax Delinquent Property.
317. Fees.
318. Audit.

319. Tax Anticipation Borrowing.
320. Payment of Indebtedness.
321. Previous Issues.
322. Purchasing and Contracts.

ARTICLE IV
Elections

401. Elections.
402. Voters and Registrations.
403. Judges of Elections.
404. Same; Tie Votes.
405. Vacancy in Office.
406. Oath of Office.

ARTICLE V
Personnel

501. Clerk to the Council.
502. Town Attorney.
503. Authority to Employ Personnel.
504. Retirement System.
505. Compensation of Employees.
506. Employee Benefit Programs.

ARTICLE VI
Public Ways and Sidewalks

601. Definition of Public Ways.
602. Control of Public Ways.
603. Public Ways; Powers.
604. Sidewalks; Powers.

ARTICLE VII
Water and Sewers

701. Powers.
702. Placing Structures in Public Ways.
703. Obstructions.
704. Entering on County Public Ways.
705. Connections.
706. Charge for Connection.
707. Improper Uses.
708. Private Systems.
709. Extensions Beyond Boundaries.

710. Right of Entry.
711. Pollution of Water Supply.
712. Charges.

ARTICLE VIII
Special Assessments

801. Power; Special Assessments.
802. Procedure.

ARTICLE IX
Town Property

901. Acquisition, Possession and Disposal.
902. Condemnation.
903. Town Buildings.
904. Protection of Town Property.

ARTICLE X
General Provisions

1001. Official Bonds.
1002. Prior Rights and Obligations.
1003. Misdemeanors.
1004. Effect of Charter on Existing Ordinances.
1005. Separability.

APPENDIX I
Urban Renewal Authority for Slum Clearance

A1–101. Definitions.
A1–102. Powers.
A1–103. Additional Powers.
A1–104. Establishment of Urban Renewal Agency.
A1–105. Powers Withheld from the Agency.
A1–106. Initiation of Project.
A1–107. Preparation and Approval of Plan for Urban Renewal Project.
A1–108. Disposal of Property in Urban Renewal Area.
A1-109. Eminent Domain.
A1–110. Encouragement of Private Enterprise.
A1–111. General Obligation Bonds.
A1–112. Revenue Bonds.
A1–113. Short Title.
A1–114. Authority to Amend or Repeal.

GOLDSBORO

ARTICLE I
Corporate Name and Boundaries

Section 101. Incorporated; General Powers; Mayor and Council.

The inhabitants of the Town of Goldsboro, Caroline County, Maryland, are hereby constituted a body corporate under the name and title of the "Mayor and Council of Goldsboro", and by that name, shall have perpetual succession, sue and be sued, have and use a common seal which may be altered at pleasure, and shall have all the powers incident to or may attach to a municipal corporation, and shall have and possess all the rights, powers, property and duties vested in and developing upon the Mayor and Council of Goldsboro, except as the same may be changed by this Subtitle. The said Mayor and Council of Goldsboro shall have the right to acquire property by gift, purchase, condemnation, or otherwise, and to dispose of the same by Ordinance and legal conveyance. The Mayor and Council of Goldsboro shall consist of two (2) members and the Mayor, unless the Charter and the Corporate existence are legally abrogated. (Res. No. 02–03, 4–30–02.)

Section 102. Boundaries.

The limits of the Town of Goldsboro, shall be as they have been or may hereafter be fixed from time to time, by Resolution of the Mayor and Council, in accordance with the provisions of Article 23A of the Annotated Code of Maryland, and such additions and changes in the Town limits shall be promptly surveyed, platted and recorded with the Town Clerk, among the Land Records of Caroline County, Maryland, and the Director of the Department of Legislative Reference [Services].

The Town Clerk is hereby directed to file a record of all such descriptions of corporate boundaries, each in a suitable book or place, properly indexed and reasonably available for public inspection during normal business hours.

Northern & Southern 1967 Annexations

That the following described two areas contiguous and adjacent to the present boundaries of the Town of Goldsboro shall be annexed to and become a part of the corporate boundaries of the Town of Goldsboro, Maryland.

(a) *Northern Addition.* Beginning for the same at the northeast corner of the present town limits, said point being on the southeast side of Md. Rte. 287 (16′ from the centerline), and said point being further, S 63° 01′ 10″, E – 600′ from the centerline of tracks of the Pennsylvania Railroad; and running thence by and with the present town limits along the southeast side of said Md. Rte. 311, and along the southeast side of County Rd. 35 (20′ from the centerline) the two following courses and distances: (1) N 63° 01′ 10″ W – 653.62′ and (2) N 49° 46′ 50″ W – 1508.28′ to an extension of the east side of Meeks Road (this point falls within the right–of–way lines of Md. Rte. 313); thence by and with the east side of Meeks Road (15′ from the centerline)

N. 01° 26′ 10″ E – 504.37′ to the lands of Minnie Slaughter; thence, by and with the southwest side of said Slaughter land S. 53° 19′ 40″ E – 554.96′ and S. 70° 34′ 40″ E – 644.83′ to the northwest side of the lands of Albert Thawley; thence, by and with the northwest side of said Thawley lands, the lands of T. H. Williams, Jr. and T. H. Williams, and an extension of said line N 16° 12′ 50″ E – 749.29′ to the intersection of said line with the extension of the northeast side of the lands of Alberta Schaub; thence, by and with the extension of said Schaub line, crossing Md. Rte. 311, and with said Schaub line S. 73° 43′ E – 462.25′ to a point which is S 73° 43′ E – 462.25′ to a point which is S 73° 43′ E – 265.00′ from the center line of Md. Rte. 311; thence, crossing said Schaub lands S 30°00′30″ E – 300.23′ to the northeast corner of the John Milby lands (this point is on the northwest side of the Pennsylvania Railroad, 33′ from the centerline of tracks; thence, S 06° 37′ 20″ W – 1561.13′ to the place of beginning. Containing in all 43.539 acres of land, more or less.

(b) *Southern Addition.* Beginning for the same at the southeast corner of the present town limits, said point being on the centerline of Md. Rte. 313; and running, thence by and with the centerline of said road S 10° 40′ 30″ W – 722.76′ to the extension of the south line of the lands of James A. Luff; thence, by and with the extension of said property line and with said Luff line N 83° 44′ 30″ W – 236.67′ to the southwest corner of said Luff lands, thence N 50° 47′ 20″ E – 907.23′ to the southwest corner of the present town limits; thence, by and with the southerly end of the town limits S 59° 30′ E – 333.00′ to the place of beginning. Containing in all 5.243 acres of land, more or less. (Res. No. 2005–1, 5–3–05.)

ARTICLE II
General Powers

Section 201. Mayor and Council; Qualifications, Tenure.

The Government, Corporate Authority, rights, powers and privileges of the said Town shall be vested in and exercised by a Mayor and two Councilpersons who shall be elected as hereinafter provided, who shall be qualified voters of the Town of Goldsboro for at least two (2) years next preceding their election, and their term shall be as hereinafter provided or until their successors are elected and qualified. Terms of Mayor and Council shall expire on the second Monday in June. (Res. No. 02–03, 4–30–02.)

Section 202. Meetings of Mayor and Council.

The Mayor and Council shall meet the second Monday of June following their election, and shall hold office for their aforesaid terms of office from said date, and shall hold regular meetings each and every month thereafter which shall be open to the public and may meet as often thereafter as may be necessary for the proper discharge of their official duties. All meetings of the Council shall provide that residents of the Town shall have a reasonable opportunity to be heard at any meeting in regard to any municipal question. The Mayor shall preside at all meetings and have all the privileges of a Councilperson in debate and vote. He shall have no power to veto any measure, but every Resolution or Ordinance passed by the Council must be signed by the Mayor or by two Councilpersons and be recorded before the same shall be

enforced. The Council shall elect one (1) of their number as President pro tempore, who shall in the abscense [absence] or inability of the Mayor, preside at the sessions, who for the time being shall be acting Mayor and have all the authority in Law of the Mayor. Special meetings may be at any time convened by the Mayor or at the request of two members of the Council. The Mayor of Goldsboro shall be the Executive Officer thereof, clothed with all the power necessary to secure the enforcement of all Ordinances of said Town under this Charter.

At all the meetings of the Mayor and Council, the Mayor and two (2) Councilpersons present and voting shall constitute a quorum for the transaction of business, and three affirmative votes shall be necessary for the passage of an Ordinance, Law or Resolution at all times. Upon every vote the ayes and nays shall be called and recorded. (Res. No. 02–03, 4–30–02.)

Section 203. Mayor.

The Mayor shall be at least twenty–five (25) years of age and must have resided in the Town for at least two (2) years prior to his election, be a qualified voter, and in event that he shall remove from the Corporate Limits of said Town, then the Office of Mayor shall forthwith become vacant, and the President pro tempore shall be duly appointed by the favorable vote of the majority members of Council to fill such vacancy for the unexpired term as set forth in Section 405. The Mayor shall receive an annual salary as set from time to time by the Mayor and Council in the regular course of business. No change will be made in the salary during the term for which he has been elected.

Section 204. Mayor's Incapacity.

In event the Mayor is incapacitated from the performance of his duties at any time on account of illness or necessary absence from the Town of Goldsboro, the President pro tempore of the Council shall, as Acting Mayor, beclothed [be clothed] with and perform all the duties incident to the Office of Mayor.

Section 205. Councilperson.

No person shall be elected as a Councilperson of said Town unless he be at least twenty–five (25) years of age, be a qualified voter and must have resided in the Town for at least two (2) years prior to his election, and in event that he shall remove from the Corporate Limits of said Town, thence the office of Councilperson shall forthwith become vacant, and his successor shall be duly appointed by the favorable majority of the remaining members of the Council and the Mayor, to fill such vacancy for the unexpired term, as set forth in Section 405. The Councilpersons shall receive an annual salary as set from time to time by the Mayor and Council in the regular course of business. No change will be made in salary during the term for which he had been elected.

Section 206. 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 Town; for the protection and preservation of the Town'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 Town 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 followinf [following] specific purposes:

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

(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 municiapl [municipal] monies for any purpose within the powers of the Council.

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

(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 Town, and to grant building permits for the 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; 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) *Cemtaries [Cemeteries]*: To regulate or prohibit the interment of bodies within the Town and to regulate cemetaries [cemeteries].

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

(12) *Community Service*: 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 Town.

(13) *Cooperative Activities*: To make arrangements 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 Town from being in the streets, lanes, alleys or public places 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; to assign additional functions or duties to officers, 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 Town and to provide for the licensing and taxing of the same; 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; to regulate or prevent the use of firearms, fireworks, bondfires [bonfires], explosives or any other similar things which may endanger persons or property.

(21) *Filth*: To compel the occupant or owner of any premises, building or yard situated in the Town, when the same has been filthy or unwholesome, to eliminate or cleanse the condition and after reasonable notice to the owners or occupants to authorize such work to be done 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; to have general management and control of the finances of the Town.

(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 Town; 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 building and structures permanently or until the conditions of Town 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 Town.

(24) *Food*: To inspect and 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 Town, 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; to require slops, garbage, ashes and other waste of [or] other unwholesome materials to be removed to designated points, or to require the occupants of the premises to place then [them] conveniently for removal.

(28) *Grants–in–Aid*: To accept gifts and grants of Federal or State Funds from the Federal or State Governments or any agency thereof, and to expend the same for any lawful public purpose, agreeable 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 Town, and to revoke such licenses for cause.

(30) *Health*: To protect and preserve the health of the Town 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 to the Town; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate and abate any buildings, structures or places which cause or may cause unsanitary conditions or conditions detrimental to health; 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 Town at the owner's expense, such expense contitutes [constitutes] a lien upon the property collectible as tax monies.

(32) *Jail*: To establish and regulate a station house or lockup for temporary confinement of violators of the Laws and Ordinances of the Town or to use the County jail for such purposes.

(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 Town 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; 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 Town shall be liens upon such property, to be collected as municipal taxes are collected.

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

(36) *Livestock*: To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs or other animals; 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 Town.

(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 advertisments [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 Ordinances all nuisances in the Town 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; to regulate, to prohibit, to control the location of, or to require the removal from the Town 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 Town may regulate, prohibit, control the location of, or require the removal from the Town of such things as stockyards, slaugterhouses [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 Town.

(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 Town in such places as they shall by Ordinance determine, and by Ordinance 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 Council.

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

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

(46) *Police Powers*: To prohibit, suppress and punish within the Town all vice, gambling and games of chance; prostitution and solicitation therefrom and the keeping of bawdy houses and houses of ill fame; all disorder, disturbances, annoyances, disorderly conduct and obscenity.

(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 Town and its inhabitants; and 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; to control, protect and maintain public buildings, grounds and property of the Town.

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

(49) *Regulations*: To adopt by Ordinances 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; 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 Town.

(52) *Taxicabs*: To license, tax and regulate public hackmen, taxicab men, 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 Town 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.

(56) *Saving Clause*: The enumeration of powers in this Section is not to be construed as limiting the powers of the Town to the several subjects mentioned.

Section 207. Exercise of Powers.

For the purpose of carrying–out the powers granted in this Subtitle or elsewhere in this Charter, the Council may pass all necessary Ordinances. All the powers of the Town shall be exercised in the manner prescribed by the Charter, or, if the manner be not prescribed, then in such manner as may be prescribed by Ordinance.

Section 208. Enforcement.

To ensure the observance of the Ordinances of the Town, the Council shall have the power to provide that violation thereof shall be a misdemeanor and shall have the power to affix thereto penalties of a fine not exceeding Five Hundred Dollars ($500.00) or imprisonment not to exceed thirty (30) days, or both such fine and imprisonment. Any person subject to any fine, forfeiture, or penalty by virtue of any Ordinance passed under the authority of this Charter shall have the right of appeal within (10) days to the District Court of the County in which the fine, forfeiture or penalty was imposed. The Council may provide that, where the violation is of a continuing nature and is persisted in, a conviction of 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.

Section 209. Ordinances.

No Ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Council held not less than (6) nor more than sixty (60) days after the meeting of which an Ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specific future date. In cases of emergency the

above requirement may be suspended by the affirmative vote of three (3) members of the Council. Every Ordinance, unless it be passed as an emergency Ordinance, shall become effective at the expiration of twenty (20) calendar days following approval by the Council. A fair summary of each Ordinance shall be published at least once in a newspaper or newspapers having general circulation in the municipality. An emergency Ordinance shall become effective on the date specified in the Ordinance.

Section 210. File of Ordinances.

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

ARTICLE III
Finance

Section 301. Clerk–Treasurer.

There shall be a Clerk–Treasurer appointed by the Council who shall serve at the pleasure of the Council and whose compensation shall be determined by the Council. The Clerk–Treasurer shall be the chief financial officer of the Town. The financial powers of the Town, except as otherwise provided by this Charter, shall be exercised by the Clerk–Treasurer under the direct supervision of the Council.

Section 302. Powers and Duties of Clerk–Treasurer.

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

(a) Prepare at the request of the Council an annual budget to be submitted to the Council.

(b) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to assure that budget appropriations are not exceeded.

(c) Maintain a general accounting system for the Town in such form as the Council may require, not contrary to State law.

(d) Submit at the end of each fiscal year, or at such other times as the Council may require, a complete financial report to the Council.

(e) Ascertain that all taxable property within the Town is assessed for taxation.

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

(g) Have custody of all public monies, belonging to or under the control of the Town, except as to funds in the control of any set of Trustees, and have custody of all bonds and notes of the Town.

(h) Do such other things in relation to the fiscal or financial affairs of the Town as the Council may require or as may be required elsewhere in this Charter.

Section 303. Bond of Clerk–Treasurer.

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

Section 304. Fiscal Year.

The Town shall operate on an annual budget. The fiscal year of the Town shall begin on the first day of July and shall end on the last day of June. Such fiscal year shall constitute the tax year, the budget year and the accounting year.

Section 305. Budget.

The Clerk–Treasurer, on such date as the Council by Ordinance shall determine, but at least thirty–two (32) 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–Treasure [Treasurer], open to public inspection by anyone during normal business hours.

Section 306. Budget Adoption.

Before adopting the budget, the Council shall hold a public hearing thereon after one (1) notice thereof in some newspaper or newspapers having general circulation within the Town. 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 such total proposed revenues. 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 307. Appropriations.

No public money may 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 308. Transfer of Funds.

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

Section 309. Over–Expenditure Forbidden.

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

Section 310. Appropriations Lapse After One 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. Any unexpended and unencumbered funds shall be considered a surplus at the end of the budget year and shall be included among the anticipated revenues for the next succeeding budget year.

Section 311. Checks.

All checks issued in payment of salaries or other municipal obligations shall be issued and signed by the Clerk–Treasurer and shall be counter–signed by the Mayor or President pro tempore. Signatures of any two (2) will be required.

Section 312. Taxable Property.

All real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, is 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.

Section 313. Budget Authorizes Levy.

From the effective date of the budget, the amount stated therein as the amount to be raised by the property tax constitutes a determination of the amount of the tax levy in the corresponding tax year.

Section 314. 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 Town. The Clerk–Treasurer shall make out and mail or deliver in person to each taxpayer or the taxpayer's agent at their last known address a bill or account of the taxes due from them. 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 dates established by this Charter all taxes levied on his property.

Section 315. Overdue Taxes.

The taxes provided for in Section 312 of this Charter are due and payable on the first day of July in the year for which they are levied and are overdue and in arrears on the first day of the following October. They shall bear interest while in arrears at the maximum rate allowed by State law for each month or fraction of a month until paid. All taxes not paid and in arrears after twelve (12) months from the time when they are first due shall be collected as provided in Section 316.

Section 316. Sale of Tax Delinquent Property.

A list of all property on which the Town taxes have not been paid and which are in arrears as provided by Section 315 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 317. Fees.

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

Section 318. Audit.

The financial books and accounts of the Town shall be audited annually as required by Section 40 of Article 19 of the Annotated Code of Maryland.

Section 319. Tax Anticipation Borrowing.

During the first six (6) months of any fiscal year, the Town 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 of the Town 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 320. Payment of Indebtedness.

The power and obligation of the Town to pay any and all bonds, notes or other evidence of indebtedness issued by it under the authority of this Charter shall be unlimited and the Town shall levy ad valorem taxes upon all the taxable property of the Town 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 Town 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 be stated in the bonds, notes, other evidences of indebtedness or in the Ordinance authorizing their issuance.

Section 321. Previous Issues.

All bonds, notes or other evidences of indebtedness validly issued by the Town 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 322. Purchasing and Contracts.

All purchases and contracts for the Town government shall be made by the Council. The Council may provide by Ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements or contractural [contractual] service involving more than Three Thousand Dollars ($3,000.00), shall be made on written contract. The Clerk–Treasurer shall advertise for sealed 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 Council shall have the right to reject all bids and readvertise. The Town at anytime 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 Town may require.

ARTICLE IV
Elections

Section 401. Elections.

(a) *Date, Time, Terms*: On the first Tuesday in May of each year an election shall be held between the hours of 5:30 p.m. and 7:30 p.m., under this Charter, for the election of the members of the Council of Goldsboro and after notice printed in some newspaper of general circulation in Caroline County, and/or posted in three (3) conspicuous places in the Town of Goldsboro for at least ten (10) days before the election. All legislative powers of the Town are vested in a Council consisting of three members who shall hold office for a term of three years or until their successors take office. The regular term of a Council member shall expire on the first Council meeting in June following selection of their successor. All persons desiring to become a candidate for Councilperson shall, at least thirty (30) calendar days prior to the election, file with the Clerk of Goldsboro, a written statement of candidacy in substantially in the following form:

CANDIDATE FOR NOMINATION FOR

_____

OFFICE

State of Maryland, Caroline County, to wit:

I, _____, hereby certify that I am now and have been for more than _____ years, been a resident of the Town of Goldsboro, Caroline County, Maryland, and that I am a qualified voter therein; that I am a candidate for the Office of Councilperson, to be voted upon at the Town election to be held on the first Tuesday of May, insert the appropriate year of the election, and I hereby request my name be printed upon the official ballot at said election as a candidate for said office.

Signed: _____

Subscribed and sworn to before me this ____day of _____, _____

_____

Notary Public

Notary Seal
My Commission Expires:

_____

(b) *Filing Fee; Election*: Each candidate shall at the same time deposit with the Clerk of Goldsboro, the sum of Ten Dollars ($10.00), which sum shall be paid to the Mayor and Council (non–refundable), for the purpose of defraying in whole or in part the expenses of said election. Immediately upon the expiration of the time for filing of petitions by the respective candidates, the Clerk of Goldsboro shall cause to be published once in one (1) or more

newspapers of general circulations [circulation] published in Caroline County and/or posted in three (3) conspicuous places in the Town of Goldsboro, the names of all the candidates (alphabetically), as they are to appear upon the official ballot. (Res. No. 02–03, 4/30/02; Res. No. 2004–01, 9/28/04.)

Section 402. Voters and Registrations

(a) *Voters*: Every citizen of the Town of Goldsboro who is duly registered with the Caroline County Board of Election in accordance with the provisions of the Election Law Article of the Annotated Code of Maryland, shall be considered to be registered to vote at any and all Town elections. In addition, any resident of the Town who is eligible to be registered with the Caroline County Board of Elections but who has not done so may be registered to vote in Town elections in accordance with the following provisions of this Section.

(b) *Board of Supervisors of Elections*: It shall be the duty of the Mayor and Council on or before the first Saturday of April, to appoint as registrars of voters in the said Town three (3) members as a Board of Supervisors of Elections for the voting house provided by the Mayor and Council, for a term of two years. Members of the Board of Supervisors of Elections shall be qualified voters of the Town and shall not hold or be candidates for any elected office during their term of office. The Board shall appoint one (1) of its members as chairman. Vacancies on the Board shall be filled by the Mayor and Council for the remainder of the unexpired term. The compensation of the members of the Board shall be determined by the Council.

The registrars so appointed shall, before entering upon the discharge of their duties, make oath in due form of law before some person qualified to administer oaths in the State of Maryland, that they severally, will fairly, faithfully and honestly will perform their duties as such Registrars. On failure of any such registrars to serve or qualify, the Mayor and Council shall appoint some other person duly qualified to substitute, and after taking the oath shall hold office for the unexpired term.

(c) *Duties*: The Board of Supervisors of Elections shall be in charge of the registration of voters, nominations and all Town elections. The Board may appoint election Clerks or other employees to assist it in any of its duties.

(d) *Notice*: The Board of Supervisors of Elections shall give at least fourteen (14) days notice of every registration day and every election by an advertisement in at least one (1) newspaper of general circulation in the Town and by posting a notice thereof in some public place or places in the Town.

(e) *Registration*: There shall be a registration on the first Saturday of every April for qualified persons not registered to vote. If necessary, for the performance of registration or the convenience of the citizens of the Town, the Council may designate additional days as registration days. Registration may also be made at the Town Office during normal office hours until thirty (30) days prior to an election. Registration shall be permanent, and no person shall be entitled to vote in Town elections unless he/she is registered to vote in Goldsboro. It shall be the duty of the Board of Supervisors of Elections to keep the registration lists up to date by striking

from the lists persons known to have died or to have moved out of Town. The Council is hereby authorized and directed, by Ordinance, to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration, and to provide for a re–registration when necessary. Registered voters not voting in three (3) consecutive elections will be disqualified and removed from the registration list.

(f) *Appeal*: If any person shall feel aggrieved by the action of the Board of Supervisors of Elections in refusing to register or on striking off the name of any person, or by any other action, such person may appeal to the Council. Any decision or action of the Council upon such appeals may be appealed to the Circuit Court for the County within thirty (30) days of the decision or action of the Council.

(g) *Election of Mayor and Council*: One Council member will be elected each year for a three–year term. The three elected council members will, as their first order of business upon taking office, elect from among them a mayor who shall hold office and execute such duties and have such powers as described elsewhere in the Town of Goldsboro Charter.

(h) *Conduct of Elections*: It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and/or voting machines. 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 of Supervisors of Elections shall keep the polls open from 5:30 p.m. to 7:30 p.m. on election days or for different hours if a majority of the Council requires it.

(i) *Special Elections*: All special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections.

(j) *Vote Count*: Within the twenty–four (24) hours after the closing of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate in question and shall certify the results of the election to the Clerk–Treasurer of the Town who shall record the results in the minutes of the Council. However, write–in votes shall not be counted.

(k) *Preservation of Ballots*: All ballots used in any Town election shall be preserved in the Town Office for at least six (6) months from the date of the election.

(l) *Regulation and Control*: The Council shall have the power to provide by ordinance in every respect not covered by provisions of this Charter for the conduct of registration, nomination and Town elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud.

(m) *Penalties*: Any person who: (1) fails to perform any duty required of him under the provisions of this sub–title or any ordinance passed thereunder; (2) in any manner of willfully or corruptly violates any of the provisions of this sub–title or any Ordinances passed thereunder; or (3) wilfully [willfully] or corruptly does anything which will or will tend to affect

fraudulently any registration, nomination or Town election, is deemed guilty of a misdemeanor. Any officer or employee of the Town government who is convicted of a misdemeanor under the provisions of this Section shall immediately, upon conviction thereof, cease to hold such office or employment.

(n) *Return of Registration Books/cards*: When the registrars shall have completed their duties they shall return the registration books/cards to the Clerk of the Mayor and Council. (Res. No. 02–03, 4/30/02; Res. No. 2004–01, 9/28/04; Res. No. 2004–02, 9/28/04; Res. No. 2004–03, 9/28/04.)

Section 403. Judges of Elections.

The Mayor and Council not less than three (3) days prior to the holding of each Town election shall appoint in addition to the aforementioned registrars, such number of qualified voters of the Town of Goldsboro as to them may appear necessary to serve as Judges at said election to be conducted in all respects under the provisions of Article 33 of the Annotated Code of Maryland. Immediately after the election, the registrars and such other Judges, shall return to the Clerk of Goldsboro under their hands, the number of votes cast and for whom. Said Clerk shall file the same at once and issue a Certificate of Election to the persons receiving the largest number of votes for the respective offices.

Section 404. Same; Tie Votes.

If at any election for Mayor or Councilpersons there shall be a tie vote between any candidate or candidates for the office, a special election shall be called by the Mayor and Council and shall be conducted in the same manner as is provided for in Section 401 of this Charter or by some mutually agreed upon method.

Section 405. Vacancy in Office.

If any vacancy shall occur in the office of Mayor or Council by death, removal, resignation, failure to qualify or otherwise, the remaining Councilpersons at their next meeting shall elect a qualified person as Mayor or Councilperson, as the case may be, to serve until the next election, unless such vacancy occurs ninety (90) days or less before the end of that term, who shall subscribe to the oath which shall be certified to and recorded as is provided in Section 406.

Section 406. Oath of Office.

(a) Before entering upon the duties of their offices, the Council, 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 Town 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 the allegiance to the State of Maryland, and support the Constitution and Laws thereof, as well as the Laws of the County of Caroline and the Town of Goldsboro, and that I will, to the

best of my skill and judgement, 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 Caroline County or before one of the sworn deputies of the Clerk. All other persons taking and subscribing the oath shall do so before the Mayor.

ARTICLE V
Personnel

Section 501. Clerk to the Council.

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

Section 502. Town Attorney.

The Council may appoint a Town Attorney who shall be a member of the Bar of Maryland Court of Appeals of Caroline County. The Town Attorney shall be the legal advisor of the Town and shall perform such duties in this connection as may be required by the Council. The Attorney's compensation shall be determined by the Council. The Town shall have the power to employ such legal consultants as it deems necessary from time to time.

Section 503. Authority to Employ Personnel.

The Town 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 Town government.

Section 504. Retirement System.

The Town 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 admissable [admissible], and to pay the employer's share of the costs of any such retirement or pension system out of the general funds of the Town.

Section 505. Compensation of Employees.

The compensation of all employees of the Town shall be set from time to time by a Resolution passed by the Council.

Section 506. Employee Benefit Programs.

The Town 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 monies of the Town for such programs.

ARTICLE VI
Public Ways and Sidewalks

Section 601. Definition of Public Ways.

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

Section 602. Control of Public Ways.

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

Section 603. Public Ways; Powers.

The Town shall have the power:

(a) To establish, regulate and change from time to time the grade lines, width and construction materials of any Town public way or part thereof, bridge, curbs and gutters.

(b) To grade, lay–out, construct, open, extend and make new Town public ways.

(c) To grade, straighten, widen, alter, improve or close up any existing Town public way or part thereof.

(d) To pave, surface, repave or resurface any Town public way or part thereof.

(e) To install, construct, reconstuct, [reconstruct] repair and maintain curbs and/or gutters along any Town public way or part thereof.

(f) To construct, reconstruct, maintain and repair bridges.

(g) To name Town public ways.

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

Section 604. Sidewalks; Powers.

The Town 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 Town property along any public way or part thereof.

(b) To grade, lay–out, construct, reconstuct, [reconstruct] pave, repave, repair, extend or otherwise alter sidewalks on Town 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 Town 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 Town may do the work and the expense shall be a lien on the property and shall be collectible in the same manner as are Town taxes or by suit at law.

ARTICLE VII
Water and Sewers

Section 701. Powers.

The Town shall have the power:

(a) To construct, operate and maintain a water system and water plant.

(b) To construct, operate and maintain a sanitary sewage system and a sewage treatment plant.

(c) To construct, operate and maintain a storm water drainage system and storm water 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 maitenance [maintenance] of the above plants and systems.

Section 702. Placing Structures in Public Ways.

Any public service corporation, company 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 Town, shall submit plans to the Town and obtain written approval upon such conditions and subject to such limitations as may be imposed by the Town. Any public service corporation, company or individual violating the provisions of this Section is guilty of a misdemeanor. If any unauthorized main, conduit, pipe or other structure interferes with the operation of the water, sewage or storm water systems, the Town may order it removed.

Section 703. Obstructions.

All individuals, firms or corporations having mains, pipes, conduits or other structures, in, on or over any public way in the Town or in the County which impede the establishment, construction or operation of any Town sewer or water main shall, upon reasonable notice, remove or adjust the obstructions at their own expense to the satisfaction of the Town. If necessary to carry–out the provisions of this Section, the Town may use its condemnation powers as provided in Section 902. Any violation of an Ordinance passed under the provisions of this Section may be made a misdemeanor.

Section 704. Entering on County Public Ways.

The Town 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 sewage system, sewage treatment plant, or storm water sewers provided for in this Charter. Unless required by the County, the Town 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 705. Connections.

The Town 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 Town, all abutting property owners, after reasonable notice, shall connect all fixtures with the water or sewer main. The Town may require that, if it considers existing fixtures unsatisfactory, satisfactory ones be installed and may require that all cesspools, sink drains and privies be abandoned, filled, removed or left in 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 706. Charge for Connection.

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

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

Section 707. Improper Uses.

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

Section 708. Private Systems.

The Town may by Ordinance, provide that no water supply, sewage or storm water 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. 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 Town. Any violation of an Ordinance passed under the provisions of this Section may be made a misdemeanor.

Section 709. Extensions Beyond Boundaries.

The Town shall have the power to extend its water or sewage systems beyond the Town limits.

Section 710. Right of Entry.

Any employee or agent of the Town, while in the necessary pursuit of his official duties with regard to the water or sewage disposal systems operated by the Town 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 Town or in the County served by the Town'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 711. 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 Town water supply system. Any violation of the provisions of this Section shall be a misdemeanor.

Section 712. Charges.

The Town 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 delinquent for a period as established by the Council from time to time, the service may be discontinued. All charges shall be a lien on the property, collectible in the same manner as Town taxes or by suit as law.

ARTICLE VIII
Special Assessments

Section 801. Power; Special Assessments.

The Town shall have the power to levy and collect taxes in the form of special assessments upon porperty [property] in a limited and determinable area for special benefits conferred upon such property by the installation or construction of water mains, sanitary sewer 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 assessment. 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 service of the administrative staff of the Town, and any other item of cost which may reasonably be attributed to the project.

Section 802. Procedure.

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, nor shall any assessment exceed twenty–five percent (25%).

(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 any special assessment. Such notice shall be given by sending a copy thereof by mail to the owner of record

of each parcel of property 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 lease [least] once in a newspaper of general circulation in the Town. 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 of any owner to receive the mailed copy shallnot [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 of the County within twenty (20) 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 forty (40) 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 become 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 Town taxes or by suit as [at] law.

(h) All speical [special] assessments shall be billed and collected by the Clerk–Treasurer.

ARTICLE IX
Town Property

Section 901. Acquisition, Possession and Disposal.

The Town may acquire real, personal or mixed property within the corporate limits of the Town for any public purpose by purchase, gift, bequest, devise, lease, condemnation or otherwise and may sell, lease or otherwise dispose of any property belonging to the Town. All municipal property, funds and franchises of every kind belonging to or in the possession of the Town (by whatever prior name known) at the time this Charter becomes effective are vested in the Town, subject to the terms and conditions thereof.

Section 902. Condemnation.

The Town shall have the power to condemn property of any kind, or interest therein or franchise connected therewith, in fee or as an easement, within the corporate limits of the Town, for any public purpose. Any activity, project or improvement authorized by the provisions of this Charter or any other State Law applicable to the Town is a public purpose. The manner of

procedure in case of any condemnation proceedings will be that established in the Annotated Code of the Public General Laws of Maryland, title "Eminent Domain".

Section 903. Town Buildings.

The Town shall have the power to acquire, to batin [obtain] by lease or rent, to purchase, construct, operate and maintain all buildings and structures it deems necessary for the operation of the Town government.

Section 904. Protection of Town Property.

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

ARTICLE X
General Provisions

Section 1001. Official Bonds.

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

Section 1002. Prior Rights and Obligations.

All right, title and interest held by the Town or any other person or corporation at the time this Charter is adopted, in and to any lien acquired under any prior Charter of the Town, 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 at the time this Charter becomes effective. All suits and actions, both civil and criminal, pending or what 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, proceded [proceeded] with, and prosecuted to final determination and judgment as if this Charter had not become effective.

Section 1003. Misdemeanors.

Every act or omission which, by Ordinance, is made a misdemeanor under the authority of this Charter, unless otherwise provided shall be punishable upon conviction before the Caroline County District Court by a fine not exceeding Five Hundred Dollars ($500.00), or imprisonment for thirty (30) days in the County jail, or both, in the discretion of the Court. The party aggrieved shall have the right to appeal as is now provided under the general Laws of the State. Where the act or omission is of a continuing nature and is persisted in, a conviction for one (1) offense shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

Section 1004. Effect of Charter on Existing Ordinances.

(a) All ordinances, resolutions, rules and regulations in effect in the Town 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 Town 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 1005. Separability.

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

The above and foregoing Resolution was duly and regularly introduced and passed at the regular meeting of the Mayor and Council of Goldsboro, Maryland on June 12, 1989, by the following vote:

AYES: 5

NOS: 0

ABSENT 0

Approved:

_____

Mayor

Attest:

_____

Town Clerk

I hereby certify the above resolution to be sound and true

APPENDIX I

Urban Renewal Authority for Slum 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 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 Goldsboro, Maryland.

(f) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic. It includes any trustee, receiver, assignee, or other person acting in similar representative capacity.

(g) "Slum area" means any area or single property where dwellings predominate which, by reason of depreciation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitary facilities, or any combination of these factors, are detrimental to the public safety, health, or morals.

(h) "Urban renewal area" means a slum area or a blighted area or a combination of them which the municipality designates as appropriate for an urban renewal project.

(i) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project. The plan shall be sufficiently complete to indicate any land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum density, and building requirements.

(j) "Urban renewal project" means undertakings and activities of a municipality in an urban renewal area for the elimination and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part of them in accordance with an urban renewal plan. These undertakings and activities may include:

(1) Acquisition of a slum area or a blighted area or portion of them;

(2) Demolition and removal of buildings and improvements;

(3) Installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the urban renewal objectives of this appendix in accordance with the urban renewal plan;

(4) Disposition of any property acquired in the urban renewal area, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan;

(5) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;

(6) Acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; and

(7) The preservation, improvement, or embellishment of historic structures or monuments.

A1–102. Powers.

(a) The municipality may undertake and carry out urban renewal projects.

(b) These projects shall be limited:

(1) To slum clearance in slum or blighted areas and redevelopment or the rehabilitation of slum or blighted areas;

(2) To acquire in connection with those projects, within the corporate limits of the municipality, land and property of every kind and any right, interest, franchise, easement, or privilege, including land or property and any right or interest already devoted to public use, by purchase, lease, gift, condemnation, or any other legal means; and

(3) To sell, lease, convey, transfer, or otherwise dispose of any of the land or property, regardless of whether or not it has been developed, redeveloped, altered, or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public, or quasi–public corporation, partnership, association, person, or other legal entity.

(c) Land or property taken by the municipality for any of these purposes or in connection with the exercise of any of the powers which are granted by this appendix to the municipality by exercising the power of eminent domain may not be taken without just

compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to the compensation.

(d) All land or property needed or taken by the exercise of the power of eminent domain by the municipality for any of these purposes or in connection with the exercise of any of the powers granted by this appendix is declared to be needed or taken for public uses and purposes.

(e) Any or all of the activities authorized pursuant to this appendix constitute governmental functions undertaken for public uses and purposes and the power of taxation may be exercised, public funds expended, and public credit extended in furtherance of them.

A1–103. Additional powers.

The municipality has the following additional powers. These powers are declared to be necessary and proper to carry into full force and effect the specific powers granted in this appendix and to fully accomplish the purposes and objects contemplated by the provisions of this section:

(1) To make or have made all surveys and plans necessary to the carrying out of the purposes of this appendix and to adopt or approve, modify, and amend those plans. These plans may include, but are not limited to:

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

(ii) Plans for the enforcement of codes and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and

(iii) Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects and related activities; and to apply for, accept, and utilize grants of funds from the federal government or other governmental entity for those purposes;

(2) To prepare plans for the relocation of persons (including families, business concerns, and others) displaced from an urban renewal area, and to make relocation payments to or with respect to those persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of payments financed by the federal government;

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

(i) To the payment of any and all costs and expenses incurred in connection with, or incidental to, the acquisition of land or property, and for the demolition,

removal, relocation, renovation, or alteration of land, buildings, streets, highways, alleys, utilities, or services, and other structures or improvements, and for the construction, reconstruction, installation, relocation, or repair of streets, highways, alleys, utilities, or services, in connection with urban renewal projects;

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

(iii) To borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, county, or other public bodies, or from any sources, public or private, for the purposes of this appendix, and to give whatever security as may be required for this financial assistance; and

(iv) To invest any urban renewal funds held in reserves or sinking funds or any of these funds not required for immediate disbursement in property or securities which are legal investments for other municipal funds;

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

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

(iii) To insure or provide for the insurance of the property or operations of the municipality against any risks or hazards, including the power to pay premiums on any insurance;

(5) To make and execute all contracts and other instruments necessary or convenient to the exercise of its powers under this appendix, including the power to enter into agreements with other public bodies or agencies (these agreements may extend over any period, notwithstanding any provision or rule of law to the contrary), and to include in any contract for financial assistance with the federal government for or with respect to an urban renewal project and related activities any conditions imposed pursuant to federal laws as the municipality considers reasonable and appropriate;

(6) To enter into any building or property in any urban renewal area in order to make inspections, surveys, appraisals, soundings, or test borings, and to obtain an order for this purpose from the circuit court for the county in which the municipality is situated in the event entry is denied or resisted;

(7) To plan, replan, install, construct, reconstruct, repair, close, or vacate streets, roads, sidewalks, public utilities, parks, playgrounds, and other public improvements in connection with an urban renewal project; and to make exceptions from building regulations;

(8) To generally organize, coordinate, and direct the administration of the provisions of this appendix as they apply to the municipality in order that the objective of

remedying slum and blighted areas and preventing its causes within the municipality may be promoted and achieved most effectively; and

(9) To exercise all or any part or combination of the powers granted in this appendix.

A1–104. Establishment of Urban Renewal Agency.

(a) A municipality may itself exercise all the powers granted by this appendix, or may, if its legislative body by ordinance determines the action to be in the public interest, elect to have the powers exercised by a separate public body or agency.

(b) In the event the legislative body makes that determination, it shall proceed by ordinance to establish a public body or agency to undertake in the municipality the activities authorized by this appendix.

(c) The ordinance shall include provisions establishing the number of members of the public body or agency, the manner of their appointment and removal, and the terms of the members and their compensation.

(d) The ordinance may include whatever additional provisions relating to the organization of the public body or agency as may be necessary.

(e) In the event the legislative body enacts this ordinance, all of the powers by this appendix granted to the municipality, from the effective date of the ordinance, are vested in the public body or agency established by the ordinance.

A1–105. Powers withheld from the agency.

The agency may not:

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

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

(3) Appropriate funds or levy taxes and assessments pursuant to section A1–103(3) of this appendix.

A1–106. Initiation of project.

In order to initiate an urban renewal project, the legislative body of the municipality shall adopt a resolution which:

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

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

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

A1–107. Preparation and approval of plan for urban renewal project.

(a) In order to carry out the purposes of this appendix, the municipality shall have prepared an urban renewal plan for slum or blighted areas in the municipality, and shall approve the plan formally. The municipality shall hold a public hearing on an urban renewal project after public notice of it by publication in a newspaper having a general circulation within the corporate limits of the municipality. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration. Following the hearing, the municipality may approve an urban renewal project and the plan therefor if it finds that:

(1) A feasible method exists for the location of any families or natural persons who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to the families or natural persons;

(2) The urban renewal plan conforms substantially to the master plan of the municipality as a whole; and

(3) The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

(b) An urban renewal plan may be modified at any time. If modified after the lease or sale of real property in the urban renewal project area, the modification may be conditioned upon whatever approval of the owner, lessee, or successor in interest as the municipality considers advisable. In any event, it shall be subject to whatever rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert. Where the proposed modification will change substantially the urban renewal plan as approved previously by the municipality, the modification shall be approved formally by the municipality, as in the case of an original plan.

(c) Upon the approval by the municipality of an urban renewal plan or of any modification of it, the plan or modification shall be considered to be in full force and effect for the respective urban renewal area. The municipality may have the plan or modification carried out in accordance with its terms.

A1–108. Disposal of property in urban renewal area.

(a) The municipality may sell, lease, or otherwise transfer real property or any interest in it acquired by it for an urban renewal project to any person for residential, recreational, commercial, industrial, educational, or other uses or for public use, or it may retain the property or interest for public use, in accordance with the urban renewal plan and subject to whatever covenants, conditions, and restrictions, including covenants running with the land, as it considers necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this appendix. The purchasers or lessees and their successors and assigns shall be obligated to devote the real property only to the uses specified in the urban renewal plan, and may be obligated to comply with whatever other requirements the municipality determines to be in the public interest, including the obligation to begin within a reasonable time any improvements on the real property required by the urban renewal plan. The real property or interest may not be sold, leased, otherwise transferred, or retained at less than its fair value for uses in accordance with the urban renewal plan. In determining the fair value of real property for uses in accordance with the urban renewal plan, the municipality shall take into account and give consideration to the uses provided in the plan, the restrictions upon, and the covenants, conditions, and obligations assumed by the purchaser or lessee or by the municipality retaining the property, and the objectives of the plan for the prevention of the recurrence of slum or blighted areas. In any instrument or conveyance to a private purchaser or lessee, the municipality may provide that the purchaser or lessee may not sell, lease, or otherwise transfer the real property without the prior written consent of the municipality until he has completed the construction of any or all improvements which he has obligated himself to construct on the property. Real property acquired by the municipality which, in accordance with the provisions of the urban renewal plan, is to be transferred, shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban renewal plan. Any contract for the transfer and the urban renewal plan (or any part or parts of the contract or plan as the municipality determines) may be recorded in the land records of the county in which the municipality is situated in a manner so as to afford actual or constructive notice of it.

(b) The municipality may dispose of real property in an urban renewal area to private persons. The municipality may, by public notice by publication in a newspaper having a general circulation in the community invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof. The notice shall identify the area, or portion thereof, and shall state that proposals shall be made by those interested within a specified period. The municipality shall consider all redevelopment or rehabilitation proposals and the financial and legal ability of the persons making proposals to carry them out, and may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by the municipality in the urban renewal area. The municipality may accept any proposal as it deems to be in the public interest and in furtherance of the purposes of this subheading. Thereafter, the municipality may execute and deliver contracts, deeds, leases, and other instruments and take all steps necessary to effectuate the transfers.

(c) The municipality may operate temporarily and maintain real property acquired by it in an urban renewal area for or in connection with an urban renewal project pending the disposition of the property as authorized in this appendix, without regard to the provisions of subsection (a), for uses and purposes considered desirable even though not in conformity with the urban renewal plan.

(d) Any instrument executed by the municipality and purporting to convey any right, title, or interest in any property under this appendix shall be presumed conclusively to have been executed in compliance with the provisions of this appendix insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

A1–109. Eminent domain.

Condemnation of land or property under the provisions of this appendix shall be in accordance with the procedure provided in the Real Property Article of the Annotated Code of Maryland.

A1–110. Encouragement of private enterprise.

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

A1–111. General obligation bonds.

For the purpose of financing and carrying out 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 limitations prescribed by applicable law for the issuance and authorization of general obligation bonds by the municipality, and also within limitations determined by the municipality.

A1–112. Revenue bonds.

(a) In addition to the authority conferred by section A1–111 of this appendix, the municipality may issue revenue bonds to finance the undertaking of any urban renewal project and related activities. Also, it may issue refunding bonds for the payment or retirement of the bonds issued previously by it. The bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality derived from or held in connection with the undertaking and carrying out of urban renewal projects under this appendix. However, payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source, in aid of any urban renewal projects of the municipality under this appendix, and by a mortgage of any urban renewal project, or any part of a project, title to which is in the municipality. In addition, the municipality may enter into an indenture of trust with any private

banking institution of this state having trust powers and may make in the indenture of trust covenants and commitments required by any purchaser for the adequate security of the bonds.

(b) Bonds issued under this section do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, are not subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds, and are exempted specifically from the restrictions contained in sections 9, 10, and 11 of Article 31 (Debt – Public) of the Annotated Code of Maryland. Bonds issued under the provisions of this appendix are declared to be issued for an essential public and governmental purpose and, together with interest on them and income from them, are exempt from all taxes.

(c) Bonds issued under this section shall be authorized by resolution or ordinance of the legislative body of the municipality. They may be issued in one or more series and:

(1) Shall bear a date or dates;

(2) Mature at a time or times;

(3) Bear interest at a rate or rates;

(4) Be in a denomination or denominations;

(5) Be in a form either with or without coupon or registered;

(6) Carry a conversion or registration privilege;

(7) Have a rank or priority;

(8) Be executed in a manner;

(9) Be payable in a medium or payment, at a place or places, and be subject to terms of redemption (with or without premium);

(10) Be secured in a manner; and

(11) Have other characteristics, as are provided by the resolution, trust indenture, or mortgage issued pursuant to it.

(d) These bonds may not be sold at less than par value at public sales which are held after notice is published prior to the sale in a newspaper having a general circulation in the area in which the municipality is located and in whatever other medium of publication as the municipality may determine. The bonds may be exchanged also for other bonds on the basis of par. However, the bonds may not be sold to the federal government at private sale at less than par, and, in the event less than all of the authorized principal amount of the bonds is sold to the federal government, the balance may not be sold at private sale at less than par at an interest cost

to the municipality which does not exceed the interest cost to the municipality of the portion of the bonds sold to the federal government.

(e) In case any of the public officials of the municipality whose signatures appear on any bonds or coupons issued under this appendix cease to be officials of the municipality before the delivery of the bonds or, in the event any of the officials have become such after the date of issue of them, the bonds are valid and binding obligations of the municipality in accordance with their terms. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this appendix are fully negotiable.

(f) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this appendix, or the security for it, any bond which recites in substance that it has been issued by the municipality in connection with an urban renewal project shall be considered conclusively to have been issued for that purpose, and the project shall be considered conclusively to have been planned, located, and carried out in accordance with the provisions of this appendix.

(g) All banks, trust companies, bankers, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by the municipality pursuant to this appendix. However, the bonds and other obligations shall be secured by an agreement between the issuer and the federal government in which the issuer agrees to borrow from the federal government and the federal government agrees to lend to the issuer, prior to the maturity of the bonds or other obligations, moneys in an amount which (together with any other moneys committed irrevocably to the payment of principal and interest on the bonds or other obligations) will suffice to pay the principal of the bonds or other obligations with interest to maturity on them. The moneys under the terms of the agreement shall be required to be used for the purpose of paying the principal of and the interest on the bonds or other obligations at their maturity. The bonds and other obligations shall be authorized security for all public deposits. This section authorizes any persons or public or private political subdivisions and officers to use any funds owned or controlled by them for the purchase of any bonds or other obligations. With regard to legal investments, this section may not be construed to relieve any person of any duty of exercising reasonable care in selecting securities.

A1–113. Short title.

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

A1–114. Authority to amend or repeal.

This appendix, enacted pursuant to Article III, Section 61 of the Constitution of Maryland, may be amended or repealed only by the General Assembly of Maryland.

NOTES

Pursuant to Article III, Section 61 of the of Maryland Constitution, the General Assembly of Maryland granted urban renewal powers for slum clearance to the Town of Goldsboro in Chapter 12 of the Acts of the General Assembly of 2002.