

FOR the purpose of altering the percentage of property owners needed to petition the County Commissioners of St. Mary's County to construct or improve roads or drainage incident to construction or improvement on or along private roads in St. Mary's County; requiring a certain percentage of property owners having a fee simple interest in certain property to sign the petition to construct or improve certain roads or drainage; altering the percentage of property owners needed to petition the County Commissioners to construct and install sidewalk systems; and generally relating to the petition by certain property owners to construct or improve certain roads and drainage in St. Mary's County.

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary's County

Section 109-2 D.(1)

Article 19 - Public Local Laws of Maryland

(1978 Edition and December 1999 Supplement, as amended)

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

Article 19 - St. Mary's County

109-2.

D. (1) The County Commissioners may construct and improve roads and drainage incident to construction or improvement on or along private roads after the approval of a petition of [the majority] AT LEAST TWO-THIRDS of the property owners whose property will benefit from the proposed construction or improvement AND AT LEAST TWO-THIRDS OF THE PROPERTY OWNERS HAVING A FEE SIMPLE INTEREST IN THE AFFECTED RIGHT-OF-WAY, requesting that the roads be taken into the county road system. In addition, when requested by the property owners and on receipt of a petition signed by [a majority] AT LEAST TWO-THIRDS of the property owners affected, the County Commissioners may construct and install sidewalk systems. In the exercise of the powers granted by this subsection, the County Commissioners, by proper ordinance passed in accordance with Article 25, § 3 of the Annotated Code of Maryland, may adopt all necessary rules and conditions for the acceptance, construction and maintenance of roads or other authorized improvements by the county. The ordinance shall provide for the method of determination of the annual benefit assessments levied against the properties benefiting from the improvements for the purpose of reimbursing the county for the cost of the improvements and the time and manner of payment, but not to exceed 20 years. Annual benefit assessments are a first lien upon the property against which they are assessed, until paid, subject only to prior state and county taxes, and if any property is sold for state and county taxes and there remains a surplus, then the County Commissioners may petition the Circuit Court to secure payment of their lien.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Approved April 10, 2001.