

Henry A. Prince, Sr.
Audrey B. Walker
Robert N. Woolwise

ATTEST:

M. Arlene Lavertz, Town Clerk

(SEAL)

Charter Amendment No. 69-3

Mayor and Common Council of Capitol Heights, Maryland

A Resolution and Ordinance to repeal and re-enact with amendments Section 8-26 of the Code of Public Local Laws of Prince George's County, Maryland (1963 Edition), titled, "Capitol Heights," and subtitled, "Sidewalks," being a section of the Charter of the Mayor and Common Council of Capitol Heights, and removing therefrom the two-thirds assessment for the cost of construction of sidewalks; and, in place thereof to provide for a uniform method of special assessment for construction of sidewalks, streets, storm water sewers, curbs, and gutters, and other construction; setting the procedure for the assessment, method of levying assessments, method of collecting assessments, providing for a hearing on assessment, and method payment of assessments.

Section 1. BE IT RESOLVED, ENACTED and ORDAINED by the Mayor and Common Council of Capitol Heights, Maryland, that Section 8-26 of the Code of Public Local Laws of Prince George's County, Maryland (1963 Edition), titled, "Capitol Heights," and subtitled, "Sidewalks," being a section of the Charter of the Mayor and Common Council of Capitol Heights, Maryland, be and the same is hereby repealed and re-enacted with amendments to read as follows:

8-26. **[Sidewalks.]** *Special Assessments.*

[All sidewalks on any of the streets of said town shall not be less than four feet in width, and of such material as the Mayor and Common Council may direct, and said Mayor and Common Council may assess upon the land abutting said sidewalk two-thirds of the cost of construction thereof, which assessment shall be a lien upon such abutting property, and be recovered from the owners of such abutting property in the name of the corporation as others of like amount are recoverable in this State by law.]

(a) Powers: Special Assessments. The Town shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon such property by the installation, construction, or reconstruction of mains, storm water sewers, curbs and gutters and by the construction or reconstruction and paving of public ways and sidewalks or parts thereof, and to provide for the payment of all or any part of the above projects out of the proceeds of such special assessments. The cost of any such project shall include the direct cost thereof, as well as the cost of any land acquired for the project, the principal and interest payments of bonds, notes, or other evidences of indebtedness issued to obtain funds for such construction, and the advertising, legal, administrative, engineering, surveying, inspecting and miscellaneous fees and charges incurred in connection with the project.