

March Legislative Session 1969

Chapter 9

(Bill No. 7-69)

An Act to repeal and reenact, with amendments, Section 36-2, Chapter 36, title, "Hyattstown," of the Montgomery County Code 1965, to eliminate the maximum authorized tax rate and to state a time in which the Hyattstown Volunteer Fire Department, Inc., must certify their operating and capital budget requests to the County Council.

*Be It Enacted by the County Council for Montgomery County, Maryland, that—*

*Section 1.* Section 36-2, Chapter 36, title "Hyattstown," of the Montgomery County Code 1965, is hereby repealed and reenacted, with amendments, to read as follows:

"Sec. 36-2. Annual levy; treasurer's duties; bond.

"The council is hereby authorized and empowered, for the fiscal year 1950-51 and each fiscal year thereafter, to levy annually against all the real and personal property assessed for county tax purposes within the area described in section 36-1 of this Code, a tax at a rate on each one hundred dollars of the assessed value of the property, which shall be determined, levied, collected and paid over in the following manner: The Hyattstown Volunteer Fire Department, Inc., shall determine the amount necessary to be raised for the ensuing year to maintain, equip and operate the fire department, and shall thereupon certify the same to the council, together with its proposed operating and capital budget no later than February 15 of each year; the council levy shall produce an amount that may appear to them as sufficient for the purposes, provided that the council shall not levy such tax at a rate which would produce less than the amount so certified by the Hyattstown Volunteer Fire Department, Inc., as necessary to maintain, equip and operate the fire department, without a previous public hearing to determine the necessity of any proposed reduction of the amount so certified by the fire department. The proceeds of such tax shall be paid annually, in installments every sixty days, to the Hyattstown Volunteer Fire Department, Inc., or its successor, upon the treasurer of the fire department giving a bond to the county, to be approved by the county manager and the county attorney in a penal sum to be fixed by them, conditioned upon the faithful discharge of the duties of the treasurer. From the funds so received, the treasurer shall pay only such costs, expenses, claims and demands as are necessary and proper to maintain, equip and operate the fire department and upon demand of either the council, county manager or the director of finance, he shall report all expenditures from the funds."

*Section 2.* This Act shall take effect on the 76th day following its enactment.

Certified correct as passed.

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President

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Secretary