

March Legislative Session 1969

Chapter 11

(Bill No. 9-69)

An Act to repeal and reenact, with amendments, Section 41-2, Chapter 41, title, "Silver Spring," of the Montgomery County Code 1965, to eliminate the maximum authorized tax rate and to change the time in which the Silver Spring 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 Section 41-2, Chapter 41, title "Silver Spring," of the Montgomery County Code 1965, is hereby repealed and reenacted, with amendments, to read as follows:

"Sec. 41-2. Annual levy; treasurer's bond and duties.

"For the purpose of providing funds with which to maintain, equip and operate a fire department within the above described fire tax area, the council is hereby authorized and empowered to levy annually against all the property assessed for county tax purposes within the area a tax sufficient, to pay annually to the Silver Spring Volunteer Fire Department, Inc., the amount necessary to maintain, equip and operate the fire department for the ensuing year, the tax to be determined, levied, collected and paid over in the following manner: The Silver Spring 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, in their next annual levy, shall levy said tax on all property assessed for county tax purposes within the area at a rate on each one hundred dollars of the assessed value of the property to 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 Silver Spring 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 tax shall be levied and shall be collected as county taxes are now or may be hereafter levied and collected and shall have the same priority rights, bear the same interest and penalties and in every respect be treated the same as county taxes. The taxes so levied for the ensuing year shall be collected by the tax collecting authorities of the county and they shall remit the whole amount of the taxes so collected to the treasurer of the Silver Spring Volunteer Fire Department, Inc., upon the treasurer giving a corporate 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, and, from the amounts so received, the treasurer, upon authorization by the Silver Spring Volunteer Fire Department, Inc., shall pay all proper costs, expenses, claims, and demands necessary for the maintenance, equip-