

CHAPTER 615

(House Bill 1336)

AN ACT to add new Sections 38-5 through 38-10, inclusive to the Code of Public Local Laws of Frederick County (1959 Edition and supplements thereto, being Article 11 of the Code of Public Local Laws of Maryland), title "Frederick County," subtitle "Part I. General Local Laws," subheading "Roads," to follow immediately after Section 38-4 thereof, relating to the acceptance, maintenance and construction of public and private roads in Frederick County, authorizing the collection of benefit assessments on abutting properties to pay the costs of certain road construction or improvements under certain conditions, providing for liens against property for which benefit assessments are unpaid, and relating generally to the improvement and construction of roads and procedure involving the levying of benefit assessments in Frederick County.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Sections 38-5 through 38-10, inclusive, be and they are hereby added to the Code of Public Local Laws of Frederick County (1959 Edition and supplements thereto, being Article 11 of the Code of Public Local Laws of Maryland), title "Frederick County," subtitle "Part I. General Local Laws," subheading "Roads," to follow immediately after Section 38-4 thereof, and to read as follows:

38-5.

The County Commissioners of Frederick County are hereby authorized to 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 of the property owners whose property abuts on the road to be constructed or improved requesting that the roads be taken into the county roads system. In the exercise of the powers granted by this section, the County Commissioners may by proper ordinance, passed in accordance with the provisions of Section 3 of Article 25 of the Annotated Code of Maryland (1957 Edition, as amended), adopt all necessary rules and conditions for the acceptance, construction, and maintenance of the roads and/or other authorized improvements by the county. Such ordinance may also provide for annual benefit assessments to be levied against the abutting properties for the purpose of reimbursing the county for the cost of the improvements and the time and manner of payment, but not to exceed ten years. Annual benefit assessments shall be 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 be sold for State and county taxes, and there remains a surplus, then the County Commissioners may upon petition to the Circuit Court be allowed the payment of their lien.

38-6.

For the purpose of giving notice to the general public as to existing liens and charges against any property for benefit assessments, the County Commissioners shall keep a public record of all names of property owners and the locations of the property, and the amount of the