

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of June 29, 1971.

Jean R. Horneck, City Clerk

Charter Amendment No. 26

Resolution No. 42-71

Resolution of The Mayor and Council of Rockville adopted pursuant to the authority of Article XI-E of the Constitution of Maryland, Section 13 of Article 23A of the Annotated Code of Maryland (1966 Replacement Volume), title "Corporations—Municipal," subtitle "Home Rule," and Sections 48-15A to 48-15G, inclusive, of the Charter of The Mayor and Council of Rockville, as amended, to amend the Charter of The Mayor and Council of Rockville, as set forth in Sections 48-1 to 48-95, inclusive, of the Code of Public Local Laws of Montgomery County (1965 Edition, as amended, being Article 16 of the Code of Public Local Laws of Maryland) to repeal and re-enact, with amendments, Sections 48-60 thereof, to allow for special assessments against all benefitted properties rather than abutting properties alone.

Section 1. BE IT RESOLVED by The Mayor and Council of Rockville that the Charter of said municipal corporation as set forth in Sections 48-1 to 48-95, inclusive, of the Code of Public Local Laws of Montgomery County (1965 Edition, as amended, being Article 16 of the Code of Public Local Laws of Maryland) be and the same is hereby amended by repealing and re-enacting, with amendments, Section 48-60 thereof, as follows:

Section 48-60. Streets, sidewalks, etc.; water and sewers; special assessments, borrowing money, etc.

(a) The council is authorized and empowered whenever, in its judgment, the public health, safety or comfort requires it, to grade, construct, reconstruct, pave, provide street lighting for or otherwise improve any street, sidewalk, alley, curb, curb and gutter and public highway, or parts thereof, at such time and to such extent and of such materials and in such manner as shall be provided by ordinance and to purchase, contract to purchase, lay or contract to lay water mains and trunk and lateral sewers in said city and to pay the costs of all such work and assess said cost, or any part thereof, against the abutting property *and any other properties benefitted thereby* as hereinafter provided in this section. For the purpose of this section, the term "water mains" shall include fire hydrants, meters, valves and connections and all other service equipment. The foregoing action may be initiated by the council on its own motion without the filing of a petition by [abutting] property owners hereinafter provided for.

(b) Whenever a petition in writing, duly signed, by the owners of at least twenty per cent of the front footage of all the property abutting upon *or to be benefitted by* any such proposed public improvement shall be filed with the council praying for the construction of any public improvement herein mentioned, the council shall, after having given the notice prescribed in the following section, hold a public hearing upon the matter of such petition, and shall, as soon thereafter as may be convenient, render