

COUNTY LOCAL LAWS  
ANNE ARUNDEL COUNTY

Bill No. 5-73

AN EMERGENCY ORDINANCE to repeal Section 1-317 of the Anne Arundel County Code (1967 Edition and Supplements), Title 1, "Administration", Subtitle 3, "Purchasing", and to enact new Section 1-317 in lieu thereof, to stand in the place of the Section repealed, to make certain technical amendments to the procedure for acquiring real property by Anne Arundel County, to correct a cross reference, and matters generally related thereto.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND, That Section 1-317 of the Anne Arundel County Code (1967 Edition and Supplements), Title 1, "Administration", Subtitle 3, "Purchasing", be and it is hereby repealed, and new Section 1-317 be, and it is hereby enacted in lieu thereof, to stand in the place of the Section repealed, and to read as follows:

SECTION 1-317. PURCHASE OR CONDEMNATION OF REAL PROPERTY.

(A) THE COUNTY EXECUTIVE IS AUTHORIZED, ON BEHALF OF, AND IN THE NAME OF ANNE ARUNDEL COUNTY TO ACCEPT DEDICATION, FOR ANY PUBLIC PURPOSE, OR TO ACQUIRE BY AGREEMENT OR EMINENT DOMAIN, ANY REAL PROPERTY OR INTEREST THEREIN FOR WHICH AN APPROPRIATION ADEQUATE TO ACQUIRE SAME HAS BEEN ENACTED BY THE COUNTY COUNCIL IN ACCORDANCE WITH ARTICLE VII OF THE COUNTY CHARTER; PROVIDED, HOWEVER, THAT IF THE COUNTY EXECUTIVE IS UNABLE TO ACQUIRE SUCH PROPERTY BY AGREEMENT, THE COUNTY SHALL NOT ACQUIRE THE SAME BY CONDEMNATION UNLESS:

(1) THE ORDINANCE APPROPRIATING FUNDS THEREFOR HAS DESIGNATED THE PUBLIC PURPOSE FOR WHICH THE PROPERTY IS TO BE ACQUIRED AND HAS DESCRIBED WITH REASONABLE ACCURACY THE LOCATION OR NATURE OF THE PROPERTY TO BE ACQUIRED; OR

(2) UNLESS PRIOR TO ACQUISITION BY CONDEMNATION THE COUNTY COUNCIL BY RESOLUTION IDENTIFIES SUCH PROPERTY AND DETERMINES AND DECLARES ITS ACQUISITION TO BE NECESSARY FOR A PUBLIC PURPOSE. ANY CONDEMNATION HEREUNDER SHALL BE IN ACCORDANCE WITH THE APPROPRIATE REVISIONS OF ARTICLE 21, TITLE XII OF THE ANNOTATED CODE OF MARYLAND (1966 REPLACEMENT VOLUME AND 1972 INTERIM SUPPLEMENT TO VOLUME 2) AND THE MARYLAND RULES OF PROCEDURE.

(B) NO PROPERTY OR INTEREST THEREIN SHALL BE