

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 18-17 be and it is hereby added to the Public Local Laws of Dorchester County being Article 10 of the Code of Public Local Laws of Maryland (1974 Edition, as amended) to read as follows:

Article 10

18-17.

(A) THE COUNTY COMMISSIONERS OF DORCHESTER COUNTY HAVE THE POWER TO PROVIDE BY ORDINANCE FOR CONSTRUCTING ON OR ADJACENT TO PRIVATE PROPERTIES WITHIN THE COUNTY THE STRUCTURES OR IMPROVEMENTS THE COUNTY COMMISSIONERS OF DORCHESTER COUNTY DEEM NECESSARY TO MAINTAIN, SUPPORT OR PROTECT ANY PUBLIC IMPROVEMENT, UTILITY OR FACILITY WHERE THE OWNER OF ADJOINING PRIVATE PROPERTY HAS FAILED TO ACT IN RESPECT TO PROTECTION OF A PUBLIC IMPROVEMENT, UTILITY OR FACILITY WITHIN THE COUNTY. THE COMMISSIONERS MAY ACQUIRE LAND AND PROPERTY FOR THE PURPOSE OF MAKING AN IMPROVEMENT BY PURCHASE FROM THE OWNERS BY AGREEMENT WITH THE OWNERS AS TO PRICE, OR, IF NECESSARY, BY CONDEMNATION AS PROVIDED BY LAW.

(B) THE COUNTY COMMISSIONERS HAVE THE POWER TO ASSESS ALL OR PART OF THE ACTUAL COST OF THE WORK AUTHORIZED IN SUBSECTION (A). THE ASSESSMENT SHALL BE UPON THE ADJOINING PROPERTY AND THE LEVY OF THE ASSESSMENT CONSTITUTES A LIEN UPON SUCH LAND.

(C) THE COUNTY COMMISSIONERS HAVE THE POWER TO COLLECT ANY SUM OR SUMS OF MONEY ASSESSED AS PROVIDED IN SUBSECTION (B), IN ANY MANNER AND BY ANY PROCESS NOW PROVIDED BY LAW FOR THE COLLECTION OF TAXES FROM REAL AND PERSONAL PROPERTY WITHIN DORCHESTER COUNTY.

(D) IF THE COUNTY COMMISSION, IN ITS SOLE DISCRETION DEEMS IT NECESSARY TO ACT TO PROTECT A PUBLIC IMPROVEMENT, FACILITY OR UTILITY, IT SHALL PASS A RESOLUTION DECLARING THE IMPROVEMENT THAT IS TO BE MADE, GIVING A REASONABLE NOTICE OF THE RESOLUTION. THE RESOLUTION SHALL PROVIDE WHAT IS TO BE IMPROVED, AND HOW IT IS TO BE IMPROVED, AND THE ESTIMATED COST THEREOF, SHOWING HOW MUCH OF THE COSTS WILL BE PAID BY THE ADJOINING PROPERTY, AND AFTER THE PUBLICATION OF THE RESOLUTION OR NOTICE THEREOF, THE COMMISSION SHALL BY ORDINANCE APPROPRIATE THE AMOUNT TO BE PAID BY THE COUNTY. IT SHALL ASSESS UPON THE PROPERTY THE AMOUNT TO BE PAID BY THE PROPERTY OWNER, GIVING THE TIME WHEN THE MONEY SHALL BE DUE AND PAYABLE. THE ORDINANCE ALSO SHALL PROVIDE THAT UNLESS CAUSE TO THE CONTRARY IS SHOWN OR