

(1) REVERSE, AFFIRM, OR MODIFY THE DECISION BROUGHT UP FOR REVIEW; AND

(2) IF NECESSARY, ORDER FURTHER PROCEEDINGS BY THE BOARD OF APPEALS.

(D) PARTIES.

IT IS NOT NECESSARY TO JOIN THE BOARD OF APPEALS AS A PARTY.

(E) PREFERENCE OVER OTHER PROCEEDINGS.

AN APPEAL UNDER THIS SUBTITLE HAS PREFERENCE OVER ALL OTHER CIVIL ACTIONS AND PROCEEDINGS.

(F) FURTHER APPEAL.

AN APPEAL MAY BE TAKEN TO THE COURT OF SPECIAL APPEALS FROM ANY DECISION OF THE COURT OF RECORD REVIEWING THE DECISION OF THE BOARD OF APPEALS.

REVISOR'S NOTE: This section presently appears as Art. 1A, §8-801(e).

In subsection (a) of this section, the present reference to an appeal by persons "jointly or severally" is deleted as unnecessary.

The only other changes are in style.

As to subsection (a) of this section, the Commission is unsure of the intended scope of the reference to "any taxpayer." Is it limited to taxpayers in the particular political subdivision? What taxes are included: only real property taxes or others?

5-616. ACQUISITION OF PROPERTY.

(A) IN GENERAL.

A POLITICAL SUBDIVISION THAT OWNS, CONTROLS, OR OPERATES AN AIRPORT MAY ACQUIRE, BY PURCHASE, GRANT, LEASE, OR CONDEMNATION, ANY PROPERTY, INCLUDING ANY AIR RIGHT OR INTEREST, NEEDED TO ELIMINATE AN AIRPORT HAZARD, TO PROTECT THE AERIAL APPROACHES TO THE AIRPORT, OR TO EFFECTUATE THE PURPOSE OF THIS SUBTITLE, IF:

(1) A NONCONFORMING USE, STRUCTURE, OR TREE OR OTHER VEGETATION IS AN AIRPORT HAZARD, AND IT IS NECESSARY OR DESIRABLE TO REMOVE, LOWER, OR OTHERWISE TERMINATE IT;

(2) BECAUSE OF CONSTITUTIONAL LIMITATIONS, THE AERIAL APPROACHES TO THE AIRPORT CANNOT BE MADE OR KEPT SAFE BY AIRPORT ZONING REGULATIONS ADOPTED UNDER THIS SUBTITLE;