

FINAL

AMENDED
June 4 and 18, 2018
July 2, 2018

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 13

Bill No. 51-18

Introduced by Mr. Peroutka, Chairman
(by request of the County Executive)
and by Mr. Trumbauer

By the County Council, May 7, 2018

Introduced and first read on May 7, 2018
Public Hearing set for and held on June 4, 2018
Public Hearing on AMENDED bill set for and held on June 18, 2018
Public Hearing on SECOND AMENDED bill set for and held on July 2, 2018
Public Hearing on THIRD AMENDED bill set for and held on July 16, 2018
Bill Expires August 10, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

- 1 AN ORDINANCE concerning: Disposition of Real Property – Transfer to Governmental
2 Entities
3
4 FOR the purpose of defining a “quasi-governmental entity”; establishing a procedure for
5 the disposition of real property to an agency of the Federal government, an agency of
6 a State government, ~~a quasi-governmental entity~~, a quasi-governmental entity, or a
7 political subdivision; and generally relating to the disposition of real property.
8
9 BY repealing and reenacting, with amendments § 8-3-202(a)
10 Anne Arundel County Code (2005, as amended)
11
12 BY renumbering: §§ 8-1-101(8) through (12) to be 8-1-101(9) through (13); and 8-3-209
13 to be 8-3-210
14 Anne Arundel County Code (2005, as amended)
15
16 BY adding: §§ 8-1-101(8); and 8-3-209
17 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
2 *That §§ 8-1-101(8) through (12); and 8-3-209 of the Anne Arundel County Code (2005, as*
3 *amended) are hereby renumbered to be §§ 8-1-101(9) through (13); and 8-3-210,*
4 *respectively.*

5
6 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
7 Code (2005, as amended) read as follows:

8
9 **ARTICLE 8. PURCHASING**

10
11 **TITLE 1. DEFINITION; GENERAL PROVISIONS**

12
13 **8-1-101. Definitions.**

14
15 In this article, the following words have the meanings indicated.

16
17 (8) "QUASI-GOVERNMENTAL ENTITY" MEANS A BUSINESS ENTITY THAT, BY LAW
18 OR CONTRACT, MONITORS, EXPENDS, DISBURSES, OR OTHERWISE MANAGES PUBLIC
19 FUNDS FOR THE FEDERAL, A STATE, OR A LOCAL GOVERNMENT.

20
21 **TITLE 3. ACQUISITION, DISPOSITION, AND LEASE OF REAL PROPERTY**

22
23 **8-3-202. Disposition of surplus property – In general.**

24
25 (a) **Generally.** Except for real property that is to be disposed of for purposes consistent
26 with those for which it was originally acquired OR PROPERTY DISPOSED OF PURSUANT TO
27 § 8-3-209 OF THIS SUBTITLE, the County may not dispose of real property owned by it unless
28 the County Executive, with the approval of the County Council by resolution, has
29 determined that the real property is surplus property. In determining whether property is
30 surplus property, and in addition to other procedures that the County Executive considers
31 appropriate, the County Executive shall inquire whether any office, department, or agency
32 of the County has a present need, or reasonably anticipates a future need, for the property.

33
34 **8-3-209. Disposition of fee simple title to real property to governmental entities.**

35
36 (A) **Generally.** UPON REQUEST OF AN AGENCY OF THE FEDERAL GOVERNMENT, AN
37 AGENCY OF A STATE GOVERNMENT, ~~A QUASI-GOVERNMENTAL ENTITY,~~ A QUASI-
38 GOVERNMENTAL ENTITY, OR A POLITICAL SUBDIVISION, THE COUNTY MAY TRANSFER
39 FEE SIMPLE TITLE TO REAL PROPERTY FOR WHICH IT HAS NO IDENTIFIED PRESENT OR
40 FUTURE NEED PURSUANT TO THIS SECTION.

41
42 **(B) Procedure for disposition.**

43
44 (1) UPON RECEIPT OF A REQUEST FROM AN ENTITY DESCRIBED IN SUBSECTION (A)
45 FOR FEE SIMPLE TITLE TO REAL PROPERTY, THE CENTRAL SERVICES OFFICER SHALL
46 INQUIRE AS TO WHETHER ANY COUNTY OFFICE, DEPARTMENT, OR AGENCY HAS A
47 PRESENT NEED OR REASONABLY ANTICIPATES A FUTURE NEED FOR THE PROPERTY.

48
49 (2) IF NO SUCH NEED IS IDENTIFIED, THE CENTRAL SERVICES OFFICER SHALL
50 RECOMMEND TO THE COUNTY EXECUTIVE THAT THE REAL PROPERTY BE DECLARED
51 SURPLUS PROPERTY UPON THE APPROVAL OF THE COUNTY COUNCIL BY RESOLUTION.
52 THE RESOLUTION SHALL EXPLAIN THE PROPOSED USE OF THE PROPERTY.

1 (3) NOTICE OF A REQUEST TO TRANSFER A PROPERTY SHALL BE ADVERTISED AT
2 LEAST ONCE A WEEK FOR TWO SUCCESSIVE WEEKS IN A NEWSPAPER OF GENERAL
3 CIRCULATION PUBLISHED IN THE COUNTY BEFORE THE INTRODUCTION OF THE
4 RESOLUTION BY THE COUNTY COUNCIL DESCRIBED IN PARAGRAPH (2). THE NOTICE
5 SHALL STATE THE NAME OF THE TRANSFEREE, THE LOCATION AND DESCRIPTION OF THE
6 PROPERTY, AND THE PROPOSED USE FOR THE PROPERTY.
7

8 (3) (4) IF THE COUNTY EXECUTIVE AND COUNTY COUNCIL APPROVE THE
9 DECLARATION OF THE REAL PROPERTY AS SURPLUS PROPERTY, THE CENTRAL SERVICES
10 OFFICER SHALL DETERMINE THE FAIR MARKET VALUE OF THE REAL PROPERTY BY
11 REVIEWING ONE APPRAISAL IF THE ASSESSED VALUE IS OVER \$1,000. UPON REVIEWING
12 ONE APPRAISAL, IF REQUIRED, FEE SIMPLE TITLE MAY BE TRANSFERRED TO THE
13 REQUESTING ENTITY.
14

15 (4) (5) ANY DEED TRANSFERRING PROPERTY UNDER THIS SECTION SHALL INCLUDE
16 A CLAUSE REVERTING THE PROPERTY TO COUNTY OWNERSHIP IF AT SUCH TIME THE
17 PROPERTY CEASES TO BE USED BY THE OTHER GOVERNMENTAL JURISDICTION FOR THE
18 PURPOSE FOR WHICH IT WAS TRANSFERRED.
19

20 **(C) Exclusion. THE PROVISIONS OF THIS SECTION MAY NOT APPLY TO THE MARYLAND**
21 **STADIUM AUTHORITY.**
22

23 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
24 from the date it becomes law.

AMENDMENTS ADOPTED: June 4 and 18 and July 2, 2018

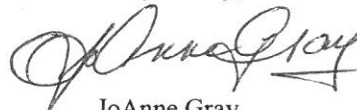
READ AND PASSED this 16th day of July, 2018

By Order:



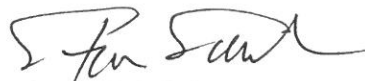
JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 17th day of July, 2018



JoAnne Gray
Administrative Officer

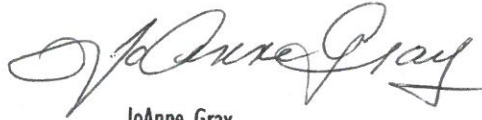
APPROVED AND ENACTED this 20th day of July, 2018



Steven R. Schuh
County Executive

EFFECTIVE DATE: **SEP 3 2018**

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
51-18. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in cursive script, appearing to read "JoAnne Gray".

JoAnne Gray
Administrative Officer