

**FINAL**

AMENDED  
June 18, 2018

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 23

Bill No. 53-18

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

By the County Council, May 21, 2018

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Introduced and first read on May 21, 2018  
Public Hearing set for and held on June 18, 2018  
Bill AMENDED and VOTED on June 18, 2018  
Bill Expires August 24, 2018

By Order: JoAnne Gray, Administrative Officer

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A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Acquisition of Real Property – Advance  
2 Land Acquisition Capital Project

3  
4 FOR the purpose of requiring each agreement for purchase of real property utilizing funds  
5 from the Advance Land Acquisition Capital Project, Project No. C106700, to be  
6 contingent upon approval of the purchase by resolution of the County Council;  
7 requiring certain appraisals and studies be conducted prior to the approval by the  
8 County Council; making this Ordinance an emergency measure; and generally relating  
9 to acquisition of real property.

10  
11 BY repealing and reenacting, with amendments: §§ 8-3-101(a) and (d); and 13-2-102(a)  
12 Anne Arundel County Code (2005, as amended)

13  
14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
15 That Sections of the Anne Arundel County Code (2005, as amended) read as follows:

16  
17 **ARTICLE 8. PURCHASING**

18  
19 **TITLE 3. ACQUISITION, DISPOSITION, AND LEASE OF REAL PROPERTY**

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21 **8-3-101. Acquisition of Real Property.**

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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 (a) **Generally.** On behalf of and in the name of the County, the County Executive may  
2 accept a dedication of real property for the purposes set forth in Articles 16 and 17 of this  
3 Code or, EXCEPT AS OTHERWISE SET FORTH HEREIN, purchase real property by agreement  
4 or eminent domain if an adequate appropriation has been made by the County Council.

5  
6 (d) **Funds in budget.**

7  
8 (1) Notwithstanding an award of a condemnation jury, real property or an interest  
9 in real property may not be purchased, by condemnation or otherwise, unless adequate  
10 funds have been included in the capital budget.

11  
12 (2) EACH AGREEMENT FOR PURCHASE OF REAL PROPERTY UTILIZING FUNDS FROM  
13 THE ADVANCE LAND ACQUISITION CAPITAL PROJECT, PROJECT NO. C106700, SHALL BE  
14 CONTINGENT UPON APPROVAL OF THE PURCHASE BY RESOLUTION OF THE COUNTY  
15 COUNCIL. PRIOR TO APPROVAL OF THE PURCHASE BY RESOLUTION, THE COUNTY  
16 COUNCIL SHALL REQUIRE AN INDEPENDENT APPRAISAL, AN ENVIRONMENTAL STUDY,  
17 AND A FEASIBILITY STUDY FOR THE REAL PROPERTY TO BE PURCHASED.

18  
19 **ARTICLE 13. PUBLIC WORKS**

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21 **TITLE 2. ROADS**

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23 **13-2-102. Acquisition of property.**

24  
25 (a) **For public purpose.**

26  
27 (1) Subject to budget limitations, the Director may acquire property for the County  
28 by purchase or exchange, or if by gift, devise or bequest, after approval by ordinance of  
29 the County Council, for any necessary public purpose, including in connection with the  
30 opening of a new road or sidewalk, for the construction or repair of a bridge, for the  
31 relocation, straightening, or widening of a road or sidewalk, for the proper drainage of a  
32 road or sidewalk, or for the building of a public building or structure.

33  
34 (2) EACH AGREEMENT FOR PURCHASE OF REAL PROPERTY UTILIZING FUNDS FROM  
35 THE ADVANCE LAND ACQUISITION CAPITAL PROJECT, PROJECT NO. C106700, SHALL BE  
36 CONTINGENT UPON APPROVAL OF THE PURCHASE BY RESOLUTION OF THE COUNTY  
37 COUNCIL. PRIOR TO APPROVAL OF THE PURCHASE BY RESOLUTION, THE COUNTY  
38 COUNCIL SHALL REQUIRE AN INDEPENDENT APPRAISAL, AN ENVIRONMENTAL STUDY,  
39 AND A FEASIBILITY STUDY FOR THE REAL PROPERTY TO BE PURCHASED.

40  
41 SECTION 2. *And be it further enacted,* That this Ordinance is hereby declared to be an  
42 emergency ordinance and necessary for the immediate preservation of the public peace,  
43 health, safety, welfare, and property and being passed by the affirmative vote of five  
44 members of the County Council, the same shall take effect from the date it becomes law.

READ AND PASSED this 18<sup>th</sup> day of June, 2018

By Order:



JoAnne Gray  
Administrative Officer

PRESENTED to the County Executive for his approval this 19<sup>th</sup> day of June, 2018



JoAnne Gray  
Administrative Officer

APPROVED AND ENACTED this 20<sup>th</sup> day of June, 2018



Steven R. Schuh  
County Executive

EFFECTIVE DATE: JUN 20 2018

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
53-18, THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.



JoAnne Gray  
Administrative Officer