

FINAL

AMENDED
December 5, 2016

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 37

Bill No. 79-16

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

By the County Council, October 17, 2016

Introduced and first read on October 17, 2016
Public Hearing set for and held on November 21, 2016
Bill AMENDED on December 5, 2016
Public Hearing on AMENDED BILL set for and held on December 19, 2016
Bill Expires January 20, 2017

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Disposition of Real Property – Non-buildable property

2
3 FOR the purpose of establishing a procedure for the disposition of surplus real property
4 that is determined to be non-buildable by the Planning and Zoning Officer; and
5 generally relating to the disposition of real property.

6
7 BY renumbering: § 8-3-208 to be § 8-3-209
8 Anne Arundel County Code (2005, as amended)

9
10 BY adding: § 8-3-208
11 Anne Arundel County Code (2005, as amended)

12
13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
14 *Maryland,* That § 8-3-208 of the Anne Arundel County Code (2005, as amended) is
15 hereby renumbered to be § 8-3-209.

16
17 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
18 Code (2005, as amended) reads as follows:

19
20 **ARTICLE 8. PURCHASING**

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

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

2
3 **8-3-208. Disposition of non-buildable property.**

4
5 (A) **Generally.** NOTWITHSTANDING THE OTHER PROVISIONS OF THIS SUBTITLE, THE
6 COUNTY MAY DISPOSE OF PROPERTY DECLARED NON-BUILDABLE BY THE PLANNING
7 AND ZONING OFFICER, IN WRITING, THROUGH A PRIVATE DISPOSITION IF THE PROPERTY
8 IS ONE-TENTH OF AN ACRE OR LESS IN SIZE, IS DETERMINED TO BE SURPLUS PROPERTY
9 BY THE CENTRAL SERVICES OFFICER AND THAT DETERMINATION IS APPROVED IN
10 WRITING BY THE CHIEF ADMINISTRATIVE OFFICER AND BY RESOLUTION OF THE COUNTY
11 COUNCIL.

12
13 (B) **Determining if surplus.** IN DETERMINING WHETHER NON-BUILDABLE PROPERTY
14 IS SURPLUS PROPERTY, THE CENTRAL SERVICES OFFICER SHALL INQUIRE AS TO
15 WHETHER THE DEPARTMENT OF PUBLIC WORKS HAS A NEED FOR THE PROPERTY FOR
16 ROAD OR UTILITY WORK AND WHETHER THE DEPARTMENT OF RECREATION AND PARKS
17 HAS A NEED FOR THE PROPERTY FOR ECOLOGICAL PRESERVATION OR RECREATIONAL
18 USE.

19
20 (C) **Notice.** UPON APPROVAL OF THE DETERMINATION THAT A NON-BUILDABLE
21 PROPERTY IS SURPLUS PROPERTY BY THE CHIEF ADMINISTRATIVE OFFICER AND THE
22 COUNTY COUNCIL, THE CENTRAL SERVICES OFFICER SHALL MAIL NOTICE TO EACH
23 ADJACENT PROPERTY OWNER AND TO THE COMMUNITY ASSOCIATION REPRESENTING
24 THE AREA IN WHICH THE PROPERTY IS LOCATED ADVISING OF THE COUNTY'S INTENT TO
25 DISPOSE OF THE PROPERTY. THE NOTICE SHALL ADVISE THAT THE COUNTY IS
26 ACCEPTING REASONABLE OFFERS FOR THE SALE OF THE PROPERTY. THE COUNTY SHALL
27 POST A COPY OF THE NOTICE ON ITS OFFICIAL WEBSITE AT THE TIME OF MAILING.

28
29 (D) **Disposition.** NOT LESS THAN 30 DAYS FOLLOWING MAILING AND POSTING OF THE
30 NOTICE OF INTENT TO DISPOSE, THE CENTRAL SERVICES OFFICER SHALL EVALUATE ALL
31 OFFERS RECEIVED, AND MAY RECOMMEND THAT THE CHIEF ADMINISTRATIVE OFFICER
32 ACCEPT THE OFFER DEEMED TO BE IN THE BEST INTEREST OF THE COUNTY.

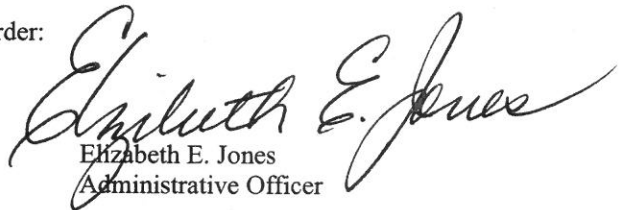
33
34 (E) **Refusal to sell.** THE CENTRAL SERVICES OFFICER MAY RECOMMEND THAT THE
35 COUNTY REJECT ALL OFFERS AND DISPOSE OF THE PROPERTY BY ANY ALTERNATIVE
36 MEANS AVAILABLE UNDER THIS SUBTITLE.

37
38 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
39 from the date it becomes law.

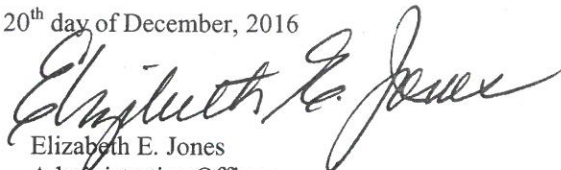
AMENDMENT ADOPTED: December 5, 2016

READ AND PASSED this 19th day of December, 2016

By Order:



Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 20th day of December, 2016



Elizabeth E. Jones
Administrative Officer

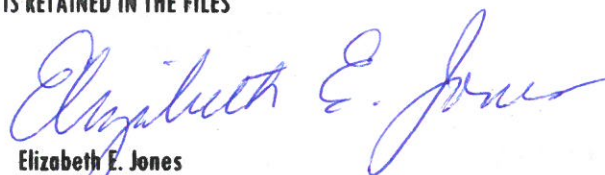
APPROVED AND ENACTED this 20th day of December, 2016



Steven R. Schuh
County Executive

EFFECTIVE DATE: February 3, 2017

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
79-16. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer