

CHARTER

OF THE

Town of Church Hill

QUEEN ANNE'S COUNTY, MARYLAND

*As enacted by Charter Amendment No. 89-1
April 11, 1989*

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CHURCH HILL

ARTICLE I Incorporation

Section 101. Corporate Name.

The inhabitants of Church Hill within the corporate limits legally established from time to time are hereby constituted and continued as a body corporate, by the name of “The Commissioners of Church Hill.”

Section 102. Definitions.

The terms “town,” “city,” “municipality,” or “municipal corporation” in this charter shall be construed as synonymous.

Section 103. Municipal Status.

The municipal corporation here continued, under its corporate name, has all the privileges of a body corporate, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal and to have perpetual succession, unless the charter and the corporate existence are legally abrogated.

Section 104. Records of Corporate Boundaries.

The corporate limits or boundaries of the Town of Church Hill shall be filed at all times with the Clerk of the Circuit Court for Queen Anne’s County, the Commissioner of the Land Office, the Director of the Department of Legislative Reference [Services] and in the office of the Town Clerk.

Section 105. Description of Corporate Boundaries.

The corporate limits or boundaries of the Town of Church Hill shall be as follows:

Beginning at the south side of William Barcus’ mill-house and running thence along the north edge of the mill stream to a cedar tree on the lines of William Barcus, Dr. T. H. Green and B. E. Cook; thence in a straight line to a stone planted on the northwest corner of the Episcopal church property, marking the boundary of said property and the property of Dr. T. H. Green and B. E. Cook; thence in a straight line to the northwest corner of T. W. Trenchard’s stable; thence in a straight line to the northwest corner of the lot belonging to the public school property at the stream known as Taylor’s branch; thence by and with said stream in an easterly direction to a point in said stream opposite to a chestnut tree standing near said stream; thence south in a straight line to the northeast corner of the Methodist Episcopal Church property; thence with the line of said church property, in a southerly direction, to the property of W. W. Bowen; thence by and with the lines of W. W. Bowen’s property to the northwest corner of the livery stable property of Mrs. Mary T. Gawlthrop; thence by a straight line in an easterly direction to the

northeast corner of the lot now owned by Wm. E. Temple, Jr.; thence in a straight line running south to the north edge of Barcus' mill pond; thence by and with the north edge of said mill pond and stream to the place of beginning.

1978 Annexation.

BEGINNING for the same at an iron bar heretofore set on the outline of the existing corporate limits of the Town of Church Hill, said point of beginning being at the northerly most corner of the lands of Edgar D. Hurlock, Jr., as recorded among the Land Records of Queen Anne's County in Liber TSP No. 64, folio 112, the Maryland State Plane Coordinates of said points being North 478237.22 East 1087970.39, and running thence leaving the lands of Hurlock, binding on the existing corporate limits of the Town of Church Hill, with bearing referenced to grid North Maryland State Plane Coordinates System, North 45° 26' 57" East 1557.96 feet to a point in the centerline of Taylor's Branch, thence still binding on the outline of the existing corporate limits of Church Hill and on the centerline of Taylor's Branch, four courses, viz: (2) North 81° 30' 01" West 86.59 feet (3) North 80° 49' 44" West 420.37 feet (4) North 70° 10' 04" West 324.23 feet and (5) South 88° 47' 38" West 95.02 feet, thence, leaving Taylor's Branch, still binding on the outline of the existing corporate limits of the Town of Church Hill, two courses, viz: (6) South 45° 26' 57" West 1404.71 feet and (7) South 40° 33' 00" West 433.29 feet to a point in the Mill Stream, the coordinates of said point being North 478103.30 East 1086897.28, thence leaving the existing corporate limits of Church Hill, binding on the centerline of the Mill Stream North 06° 38' 50" East 28.63 feet to a point on the southeasterly right-of-way line of Maryland Route 213, thence leaving the Mill Stream, binding on said right-of-way line, thirty-nine courses, viz: (9) North 37° 10' 56" East 50.88 feet (10) North 09° 13' 12" East 74.64 feet (11) North 42° 48' 07" East 255.30 feet (12) North 37° 10' 56" East 110.02 feet (13) North 30° 28' 18" East 171.15 feet (14) North 39° 43' 38" East 225.22 feet (15) North 29° 35' 16" East 302.65 feet (16) North 37° 10' 56" East 50.00 feet (17) North 52° 49' 29" East 129.81 feet (18) North 41° 16' 05" East 70.18 feet (19) North 37° 10' 57" East 30.00 feet (20) North 32° 02' 23" East 200.81 feet (21) North 13° 25' 58" East 54.63 feet (22) North 39° 42' 14" East 272.76 feet (23) North 34° 17' 02" East 197.75 feet (24) North 38° 31' 08" East 300.08 feet (25) North 39° 57' 15" East 101.12 feet (26) North 46° 19' 45" East 69.89 feet (27) North 41° 58' 31" East 59.84 feet (28) North 37° 08' 16" East 250.00 feet (29) by a curve to the left in a northeasterly direction of radius 1979.86 feet, an arc distance of 56.40 feet, said arc being subtended by a chord bearing North 36° 26' 17" East 56.40 feet (30) North 34° 00' 01" East 207.56 feet (31) North 20° 44' 48" East 122.06 feet (32) North 25° 33' 23" East 38.16 feet (33) North 20° 54' 29" East 150.44 feet (34) North 16° 30' 50" East 154.16 feet (35) North 04° 18' 55" East 52.14 feet (36) by a curve to the left in a northeasterly direction of radius 1949.86 feet, an arc distance of 153.14 feet, said arc being subtended by a chord bearing North 12° 22' 14" East 153.10 feet (37) North 14° 57' 25" East 51.36 feet (38) North 12° 41' 05" East 103.09 feet (39) by a curve to the left in a northeasterly direction of radius 1964.86 feet, an arc distance of 102.88 feet, said arc being subtended by a chord bearing North 04° 07' 12" East 102.87 feet (40) North 12° 03' 51" East 105.31 feet (41) North 06° 18' 00" East 105.38 feet (42) North 14° 43' 33" West 158.03 feet (43) by a curve to the left in a northwesterly direction of radius 1974.86 feet, an arc distance of 103.40 feet, said arc being subtended by a chord bearing North 09° 22' 52" West 103.39 feet (44) North 14° 58' 45" West 154.95 feet (45) North 16° 07' 54" West 51.57 feet (46) North 73° 07' 06" East 30.31 feet and (47) South 37° 55' 30" East 241.54 feet to a point at the

end of through highway of Maryland Route 213, as shown on State Roads Commission Plat No. 37938, the coordinates of said point being North 482089.49 East 1089146.10, thence leaving the right-of-way line of through highway of Maryland Route 213, crossing Old Maryland Route 213, North 52° 04' 30" East 75.00 feet to a point, thence binding on the northeasterly side of Old Maryland Route 213, two courses, viz: (49) South 37° 55' 30" East 329.80 feet to a point of curvature, thence by a curve to the right in a southeasterly direction of radius 642.52 feet, an arc distance of 151.07 feet, said arc being subtended by a chord bearing South 31° 11' 21" East 150.73 feet to a point in the northwesterly outline of the lands of Tony C. Tims, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 59, folio 204, thence leaving Old Maryland Route 213, binding on the outline of the lands of Tims, two courses, viz: (51) North 42° 22' 13" East 141.25 feet and (52) South 51° 07' 23" East 300.00 feet to a pipe heretofore set in the northwesterly most corner of the lands of Mary A. Mullikin, as recorded among the Land Records of Queen Anne's County in Liber BHT No. 12, folio 46, thence leaving the lands of Tims, binding on the northeasterly outlines of the lands of Mullikin and crossing Pinder Hill Road (53) South 51° 07' 23" East 223.18 feet to a point, thence binding on the southeasterly side of Pinder Hill Road, by a curve to the left in a southwesterly direction of radius 5875.00 feet, an arc distance of 451.00 feet, said arc being subtended by a chord bearing South 24° 24' 01" West 450.89 feet, to the northwesterly most corner of the lands of Woodrow S. Bostic, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 48, folio 451, thence leaving Pinder Hill Road, binding on the outline of the lands of Bostic, (55) South 64° 22' 50" East 205.56 feet to a pipe heretofore set at the northwesterly most corner of the lands of Francis H. Griffin, as recorded among the Land Records of Queen Anne's County In Liber TSP No. 69, folio 368, thence leaving the lands of Bostic, binding on the outline of the lands of Francis H. Griffin and the lands of John E. Bailey, two courses, viz: (56) North 89° 17' 51" East 214.51 feet to a concrete monument heretofore set and (57) South 76° 19' 14" East 447.95 feet to a concrete monument heretofore set at a common corner between parcel number one and parcel number two of the lands of John E. Bailey, as recorded among the Land Records of Queen Anne's County in Liber TSP No. 69, folio 373, thence binding on the dividing line between parcel number one and parcel number two, aforesaid, (58) South 11° 23' 51" West 229.87 feet to a concrete monument heretofore set on the northerly side of Maryland Route 300, the coordinates of said monument being North 480694.34 East 1090591.89 thence leaving the lands of Bailey, crossing Maryland Route 300 and running through and across the lands of Sydney G. Ashley (59) South 14° 45' 32" West 1087.13 feet to a nail heretofore set in a fence post at the northeasterly most corner of a cemetery, thence binding on the dividing line between the lands of the cemetery and the lands of Sydney G. Ashley, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 86, folio 654 (60) South 15° 43' 02" West 627.64 feet to a point in the centerline of a dirt lane known as Cemetery Lane, thence leaving the lands of the cemetery, binding on the dividing line between the lands of Ashley and the lands of Chester M. Massey, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 40, folio 548 (61) South 31° 31' 30" West 584.43 feet to a fence post heretofore set, thence leaving the lands of Massey, running through and across the lands of Sydney G. Ashley (62) South 31° 39' 07" West 939.66 feet to a pipe heretofore set at the northerly most corner of the lands of the Cape Pine Development corporation, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 88, folio 715, thence binding on the lands of the Cape Pine Development Corporation (63) South 38° 25' 37" West 694.87 feet to a pipe heretofore set on the northerly side of Maryland Route 19, the coordinates of said point being North 477196.48

East 1088914.37, thence still binding on the outline of the Cape Pine Development Corporation and on the northeasterly side of Maryland Route 19 (64) by a curve to the right in a southeasterly direction of radius 2829.08 feet, an arc distance of 594.03 feet, said arc being subtended by a chord bearing South 46° 54' 29" East 592.94 feet, thence leaving the lands of Cape Pine Development Corporation, crossing Maryland Route 19 (65) South 49° 06' 26" West 60.00 feet to a point in the northwesterly outline of the lands of Wayne B. Tate, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 66, folio 39, thence binding on the lands of Tate, three courses, viz: (66) South 83° 27' 56" West 249.42 feet, South 42° 42' 21" West 671.54 feet, and South 47° 17' 10" West 889.95 feet to a point in the center of the Mill Stream, the coordinates of said point being North 475626.57 East 1087944.86, thence leaving the lands of Tate, running through and across the lands of the State of Maryland Fish and Wildlife Administration, as recorded among the Land Records of Queen Anne's County in Liber CWC No. 68, folio 773, and binding on the center of the Mill Stream, ten courses, viz: (69) North 83° 17' 30" West 101.77 feet (70) North 47° 04' 38" West 95.52 feet (71) North 14° 12' 32" West 131.42 feet (72) North 05° 02' 10" East 196.12 feet (73) North 58° 47' 52" East 45.36 feet (74) North 00° 42' 18" East 113.88 feet (75) North 37° 08' 31" East 105.52 feet (76) North 18° 33' 21" West 176.37 feet (77) North 24° 51' 37" West 175.63 feet and (78) North 64° 43' 33" West 253.34 feet to a point in the existing corporate limits of the Town of Church Hill, the coordinates of said points being North 476682.48 East 1087503.66, thence leaving the Mill Stream, binding on the existing corporate limits of the Town of Church Hill (79) North 40° 33' 00" East 1446.94 feet to a point in the outline of the lands of Sydney G. Ashley, aforesaid, at a common corner of the lands of Walter G. Coppage and Margaret W. Dunn, thence still binding on the existing corporate limits of the Town of Church Hill and on the outline of the lands of Ashley, two courses, viz: (80) North 52° 08' 12" West 322.81 feet to a pipe heretofore set and (81) North 54° 20' 37" West 269.64 feet to the beginning hereof. CONTAINING 197.50 acres, more or less. (Annexation Resolution, 9-23-78.)

1989 Annexation

Parcel One: BEGINNING FOR THE SAME at a point at the intersection of the division line between the lands of J. O'Neill Jenkins (see MWM 296/939), Zebulon J. Brodie (see MWM 299/676) and the Town Commissioners of Church Hill (see MWM 329/076) of which the herein described is a part; said beginning point being the terminus of the Line Number 11 as shown on a plat entitled "Corporate Limits of the Town of Church Hill" dated 1/3/79 drawn by Frederick Ward Associates, Incorporated.

Thence, leaving the Jenkins Lands and binding on the aforementioned division line between the Brodie Lands and the herein described lands and running for three (3) new lines of corporate limits, the three (3) following courses and distances: South 47° 17' 10" West 34.05 feet to a point, North 76° 12' 50" West 108.90 feet to a point and North 15° 42' 51" West 51.58 feet to a point on the corporate limits of the Town of Church Hill of line Number 13 of the aforesaid plat drawn by Frederick Ward Associates, Inc.

Thence, leaving the Brodie Lands and the Lands of Town Commissioners of Church Hill and binding on the corporate limits of the Town of Church Hill, Lines 13 and 12 on the aforesaid plat the following two (2) courses and distances: South 47° 04' 38" East 59.65 feet to a point and

South 83° 17' 30" East 101.77 feet to the place of beginning. CONTAINING 2,979 square feet of land, more or less, as described by McCrone, Incorporated, September 1989.

Parcel Two: BEGINNING FOR THE SAME at a point on Line 31 as shown on a plat entitled "Corporate Limits of the Town of Church Hill" dated 1/3/79 drawn by Frederick Ward Associates, Inc. with the southernmost right-of-way of Maryland Route 19.

Thence, leaving the southernmost right-of-way line of Maryland Route 19 and binding on the Corporate Limits of the town of Church Hill and running through the lands of the Town Commissioners of Church Hill (see MWM 329/076) of which the herein described is a part.

Thence, with the Corporate Limits of the Town of Church Hill Lines 31 through 15 as shown on the aforesaid plat with the meanderings of Mill Stream the following seventeen courses and distances: South 39° 57' 27" East 120.56 feet to a point, South 51° 51' 49" East 153.84 feet to a point, South 37° 43' 15" East 64.88 feet to a point, South 07° 47' 29" East 91.98 feet to a point, South 29° 12' 07" East 91.73 feet to a point, South 02° 29' 59" East 85.30 feet to a point, South 30° 47' 46" East 100.24 feet to a point, South 46° 28' 58" East 84.93 feet to a point, South 59° 59' 21" East 126.00 feet to a point, South 41° 16' 16" East 149.24 feet to a point, South 64° 43' 33" East 253.34 feet to a point, South 24° 51' 37" East 175.63 feet to a point, South 18° 33' 21" East 176.37 feet to a point, South 37° 08' 31" West 105.52 feet to a point, South 00° 42' 18" West 113.88 feet to a point, South 58° 47' 52" West 45.36 feet to a point and South 05° 02' 10" West 153.17 feet to a point on the division line between the lands of Zebulon J. Brodie (see MWM 299/676) and the Town Commissioners of Church Hill (see MWM 329/076); said point further being located North 05° 02' 10" East 42.95 feet from the end of Line 14 as shown on a plat entitled "Corporate Limits of the Town of Church Hill" drawn by Frederick Ward Associates, Inc.

Thence, leaving the Corporate Limits of the Town of Church Hill and binding on the aforementioned division line between the Brodie Lands and the Town Commissioners of Church Hill and running for new lines of Corporate Limits, the following thirteen (13) courses and distances: North 15° 42' 51" West 53.15 feet to a point, North 11° 32' 09" East 207.90 feet to a point, South 76° 47' 09" West 176.88 feet to a point, North 72° 12' 51" West 115.50 feet to a point, North 22° 42' 48" West 169.62 feet to a point, North 03° 42' 45" West 69.30 feet to a point, North 20° 12' 55" West 87.12 feet to a point, North 44° 12' 43" West 79.20 feet to a point, North 66° 12' 51" West 138.60 feet to a point, North 45° 12' 46" West 264.00 feet to a point, North 75° 12' 49" West 99.00 feet to a point, South 87° 17' 09" West 292.88 feet to a point, North 37° 55' 34" West 69.73 feet to a point at the intersection of the division line between the aforementioned Brodie Lands, the Lands of Shirley Anne Cahall (see CWC 092/576) and the herein described lands.

Thence, leaving the Brodie Lands and binding on the aforesaid division line between the Cahall Lands and the herein described lands North 28° 11' 59" West 85.96 feet to a point at the intersection of the division line between the aforementioned Cahall Lands, Marion L. Chance (see MWM 151/156) and the herein described lands.

Thence, leaving the Cahall Lands and binding on the aforementioned division line between the Chance Lands and the herein described lands North 28° 12' 04" West 66.49 feet to a point on the southernmost right-of-way line of Maryland Route 19.

Thence, leaving the Chance Lands and binding on the aforementioned southernmost right-of-way line of Maryland Route 19 the six (6) following courses and distances: North 52° 13' 07" East 37.30 feet to a point, North 27° 24' 13" East 177.97 feet to a point, North 18° 47' 38" East 49.86 feet to a point, North 22° 09' 42" East 101.68 feet to a point, North 32° 25' 33" East 22.82 feet to a point, on a curve. Thence, with the arc of a curve to the right 356.07 feet to the place of beginning. Said curve being scribed by a chord of North 37° 44' 55" East 352.87 feet having a radius length of 765.00 feet. CONTAINING 15.06 acres of land, more or less, as described by McCrone, Inc. October, 1989.

Parcel Three: BEGINNING FOR THE SAME at a point on the northwesterly right-of-way line of Maryland Route 213, said point being 200 feet distant measured at right angles in a northwesterly direction from base line station 46+06.30 of Maryland Route 213, said point of beginning also being the southerly most corner of that tract or parcel of land conveyed by and described in a deed from the State Highway Administration to the County Commissioners of Queen Anne's County, dated November 7, 1975, and recorded among the Land Records of Queen Anne's County in CWC 100/487, the coordinates of said point being North 479344.37 East 1087443.89, and running thence leaving Maryland Route 213, binding on the dividing line between the lands of the County Commissioners of Queen Anne's County and the lands of William C. Hall, as shown on State Highway Administration Right-of-Way Plat No. 44793, with bearings referenced to grid North Maryland State Plane Coordinate System, four courses, viz: North 47° 21' 54" West 80.57 feet, North 07° 11' 55" West 75.90 feet, North 81° 50' 57" West 256.14 feet, and North 73° 02' 53" West; 561.00 feet, thence leaving the lands of Hall, still binding on the outline of the lands of the County Commissioners of Queen Anne's County North 58° 12' 07" East 297.00 feet, thence running through and across the lands of the County Commissioners of Queen Anne's County, three (3) courses, viz: South 69° 43' 16" East 132.00 feet, North 30° 44' 24" East 901.71 feet, and South 69° 47' 52" East 786.27 feet to a point on the northwesterly right-of-way line of Maryland Route 213, aforesaid, thence binding on said right-of-way line South 37° 10' 56" West 1184.87 feet to the beginning hereof. CONTAINING 19.00 acres, more or less.

Parcel Four: BEGINNING FOR THE SAME at a point at the intersection of the division line between the lands of the Commissioners of Church Hill (see MWM 152/728) and lands of County Commissioners of Queen Anne's County (see CWC 100/048) of which the herein described is a part with the northern-most right-of-way line of Maryland Route 213, and said beginning point being further located 200 feet perpendicular from the baseline of right-of-way of Maryland Route 213, as shown on a State Roads Commission Plat No. 44793.

Thence, leaving the northern-most right-of-way line of Maryland Route 213, and binding on the aforementioned division line between the Commissioners of Church Hill Lands and the herein described lands the three (3) courses and distances: North 60° 23' 48" West 786.27 feet to a point, South 40° 08' 28" West 901.71 feet to a point, and North 60° 19' 12" West 132.00

feet to a point at the intersection of the division line between the aforementioned Commissioners of Church Hill, Lands of John H. Hall, et al (see MWM 258/902) and the herein described lands.

Thence, leaving the Commissioners of Church Hill Lands and binding on the aforementioned division line between Hall Lands, and herein described lands the five (5) following courses and distances: North 10° 36' 11" East 594.00 feet to a point, North 55° 36' 11" East 1148.00 feet to a point, North 84° 36' 11" East 330.00 feet to a point, North 88° 06' 11" East 330.00 feet to a point, and South 27° 01' 26" East 509.76 feet to a point on a curve of the northernmost right-of-way line of Maryland Route 213, and said point further being located 200 feet measured originally from station 25+67.14 of Maryland Route 213 Baseline of right-of-way.

Thence, leaving the Hall Lands and binding on the aforementioned right-of-way line of Maryland Route 213 with the arc of a curve to the right 346.71 feet to a point of tangency, said curve being scribed by a chord of South 40° 46' 28" West 346.12 feet, and having a radius length of 1709.86 feet, thence South 46° 35' 00" West 469.55 feet to the place of beginning. CONTAINING 28.05 acres of land, more or less, as described by McCrone, Inc. October 1989.

Parcel Five: BEGINNING FOR THE SAME at the intersection of the division line between the lands of the Town Commissioners of Church Hill (see MWM 152/728) and the lands of the County Commissioners of Queen Anne's County (see CWC 100/048) with the northernmost right-of-way line of Maryland Route 213.

Thence leaving the Town Commissioners of Church Hill lands and binding on the aforementioned northernmost right-of-way line of Maryland Route 213, the following two (2) courses and distances: North 37° 10' 56" East 469.55 feet to a point on a curve and thence, with the arc of a curve to the left, 346.71 feet to a point at the intersection of the division line between the lands of the aforementioned County Commissioners lands, Lands of John H. Hall, et al (see MWM 258/902), said curve being scribed by a chord of North 31° 22' 24" East 346.12 feet having a radius length of 1,709.86 feet.

Thence leaving the County Commissioners Lands and the Hall Lands and running across Maryland Route 213 South 36° 25' 30" East 246.11 feet to the southernmost right-of-way line of Maryland Route 213. Thence, binding on the southernmost right-of-way line of Maryland Route 213 the following fifteen (15) courses and distances: South 34° 00' 00" West 137.17 feet to a point on the curve, thence with the arc of a curve to the right 56.40 feet to a point of tangency, said curve being scribed by a chord of South 36° 26' 17" West 56.40 feet, having a radius length of 1,979.86 feet, thence South 37° 08' 16" West 250.00 feet to a point, South 41° 58' 29" West 59.84 feet to a point, South 46° 19' 46" West 69.89 feet to a point, South 39° 57' 15" West 101.12 feet to a point, South 38° 31' 08" West 300.08 feet to a point, South 34° 17' 03" West 197.75 feet to a point, South 39° 42' 14" West 272.76 feet to a point, South 13° 25' 59" West 54.63 feet to a point, South 32° 02' 23" West 200.81 feet to a point, South 37° 10' 59" West 30.00 feet to a point, South 41° 16' 04" West 70.18 feet to a point, South 52° 49' 30" West 129.81 feet to a point, and South 37° 10' 54" West 28.22 feet to a point.

Thence, leaving the southernmost right-of-way line of Maryland Route 213 and running across Maryland Route 213 North 47° 21' 54" West 180.39 feet to a point on the northernmost right-of-way line of Maryland Route 213, said point being the southeasternmost corner of the aforementioned Town Commissioners of Church Hill lands. Thence, binding on the northernmost right-of-way line of Maryland Route 213 and the lands of the Town Commissioners of Church Hill, North 37° 10' 56" East 1,184.87 feet to a place of beginning. CONTAINING 8.99 acres of land, more or less, as described by McCrone, Inc., November 1989.

TOTAL ANNEXED LANDS for 1989: 71.17 acres, more or less.

(Resolution No. CH 7/89, 2-18-90.)

2004 Annexation

DESCRIPTION OF 44.632 ACRES OF LAND, MORE OR LESS
PART OF THE LANDS OF EDGAR G. VanORDEN, ET UX
SECOND ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
TO BE ANNEXED INTO THE TOWN OF CHURCH HILL

BEGINNING for the same at an iron pipe located at the northwesternmost corner of the lands now or formerly of William F. Moffett, et ux (see M.W.M. 146/401) as indicated on a plat entitled "ANNEXATION PLAT OF PART OF THE LANDS OF EDGAR G. VanORDEN, ET UX, TO BE ANNEXED INTO THE TOWN OF CHURCH HILL," which is attached hereto; said beginning point being further located at the end of the 62nd, or South 31° 39' 07" West 939.66 foot line, as described in the Town of Church Hill's Annexation Resolution 09/23/78; said beginning point still further being located North 38° 25' 19" East 694.98 feet from an iron pipe located along the northeasternmost right-of-way line of MD Route 19, a sixty foot (60') wide right-of-way at intersection of the division line between the aforesaid lands of Moffett and the lands of Edgar G. VanOrden, et ux (see M.W.M. 302/358);

THENCE leaving said beginning point so fixed and binding on Line 62 and Line 61 of the aforesaid Annexation Resolution, as now described, the two (2) following course and distances;

1) North 31° 41' 23" East 938.81 feet to an iron pipe located at the southeasternmost corner of the lands now or formerly of Charles M. Rhodes, Jr., et ux (see M.W.M. 352/108); and

2) North 31° 33' 08" East 570.07 feet to an iron pipe located along the southernmost side of Cemetery Lane, at the northeasternmost corner of the aforesaid Rhodes lands, and the southwesternmost corner of the lands now or formerly of Richard E. Slacum, et ux (see S.M. 537/499), said iron pipe being further located the three (3) following courses and distances, along the corporate boundary of the Town of Church Hill, as now described, from a point located at the end of the 58th, or South 11° 23' 51" West 229.87 foot line of the Annexation Resolution of 1978; South 14° 41' 12" West 1,089.67 feet to an iron pipe; South 16° 08' 06" West 609.12 feet to an iron pipe; South 16° 13' 56" West 30.78 feet;

THENCE leaving the corporate limits of the Town of Church Hill and binding on the perimeter of the lands to be annexed to the Town of Church Hill and binding on the southernmost outlines of the aforesaid Slacum lands, the three (3) following courses and distances;

- 3) South 63° 08' 32" East 576.20 feet to an iron pipe;
- 4) South 26° 53' 50" West 196.62 feet to an iron pipe; and
- 5) South 63° 07' 06" East 450.76 feet to an iron pipe;

THENCE leaving the Slacum lands and running through and across the aforesaid lands of Edgar G. VanOrden, et ux, and continuing said same course;

6) South 63° 07' 06" East 558.77 feet to an iron rod located along the westernmost outline of the lands now or formerly of Warner Revocable Living Trust (see S.M. 541/640);

THENCE binding on the northwesternmost outline of the aforesaid lands of the Warner Revocable Living Trust;

7) South 39° 39' 31" West 677.62 feet to an iron pipe located at the northernmost corner of the lands now or formerly of Albert J. Lofgreen (see M.W.M. 211/316);

THENCE binding on the northernmost outline of the aforesaid Lofgreen lands, and the northernmost outline of the lands now or formerly of George P. Atkins, et ux (see M.W.M. 171/715);

8) South 39° 39' 01" West 424.93 feet to an iron pipe located along the northernmost outlines of the aforementioned lands of William F. Moffett, et ux;

THENCE leaving the Atkins lands and binding on the northernmost outlines of the aforesaid Moffett lands, the three (3) following courses and distances;

- 9) North 48° 09' 18" West 650.79 feet to an iron pipe;
- 10) South 42° 28' 52" West 624.87 feet to an iron pipe; and
- 11) North 46° 21' 46" West 699.90 feet to the place of beginning.

Containing in all 44.632 acres of land, more or less, as described by McCrone, Inc., Registered Professional Engineers and Land Surveyors, in March 2001. (Res. No. CH 86/04, 5-22-04.)

December 2004 Annexation

DESCRIPTION OF 40.118 ACRES OF LAND, MORE OR LESS,
PART OF THE LANDS OF EDGAR G. VanORDEN & JOYCE A. VanORDEN, HIS WIFE
BEING FURTHER LOT NO. 1 SHOWN ON A SLIDING SCALE SUBDIVISION
OF LANDS OF EDGAR G. VanORDEN, ET UX
SECOND ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
RECORDED AMONG THE PLAT BOOKS FOR QUEEN ANNE'S COUNTY MARYLAND
IN LIBER 23, FOLIO 96 A & B

BEGINNING for the same at an iron rod set at the intersection of the division line between the herein described Lot No. 1 and other remaining lands of Edgar G. VanOrden, et ux. (see M.W.M. 302/358) with the southernmost right-of-way line of Maryland Route 300, a sixty (60) foot wide right-of-way at this point; said beginning point further being located South 81° 45' 40" East 538.53 feet from a concrete monument found at the intersection of the division line between the aforesaid VanOrden lands and the lands of Gladys E. Green (see M.W.M. 256/769); said beginning point further being at the intersection of the Corporate Boundary for the Town of Church Hill with the southernmost right-of-way line of Maryland Route 300;

THENCE leaving said beginning point so fixed and other VanOrden lands and the Town of Church Hill and binding on the aforesaid right-of-way line of Maryland Route 300;

1) South 81° 45' 40" East 762.31 feet to a point at the intersection of the division line between the lands of Charles H. Coppage (see S.M. 531/759) and the herein described lands with the aforesaid right-of-way;

THENCE leaving Maryland Route 300 and binding on the division line between the Coppage lands and the herein described lands, the two (2) following courses and distances;

2) South 04° 22' 24" East 371.65 feet to an iron rod found, passing in transit a concrete monument found 7.63 feet from the beginning thereof and;

3) South 81° 17' 31" East 139.94 feet to a concrete monument found at the intersection of the division line between the Coppage lands, the land of Howard M. Burns, et ux. (see M.W.M. 249/708) and the herein described lands;

THENCE leaving the Coppage lands and binding on the division line between the Burns lands and the herein described lands, the two (2) following courses and distances;

3) South 03° 37' 43" East 200.12 feet to a concrete monument found and;

4) South 81° 19' 21" East 225.12 feet to a concrete monument found in the westernmost right-of-way line of Hall Road, a fifty (50) foot wide right-of-way;

THENCE leaving the Burns lands and binding on the aforesaid right-of-way line;

- 5) South $04^{\circ} 26' 21''$ East 93.00 feet to a point of curvature;

THENCE binding on the arc of a curve to the left, a distance of 51.21 feet, said curve having a radius of 1171.00 feet and scribed by a chord of;

- 6) South $05^{\circ} 41' 31''$ East 51.20 feet to a point of tangency and the division line between the herein described Lot No. 1 and Lot No. 2 as shown on the aforesaid plat of sliding scale subdivision;

THENCE leaving the right-of-way line of Hall Road and binding on the division line between Lot No. 2 and the herein described Lot No. 1, the four (4) following courses and distances;

- 7) South $83^{\circ} 32' 08''$ West 467.28 feet to an iron rod set;
- 8) South $21^{\circ} 12' 50''$ West 339.62 feet to an iron rod set;
- 9) South $73^{\circ} 46' 35''$ West 414.93 feet to an iron rod set and;

- 10) South $34^{\circ} 05' 38''$ West 546.02 feet to an iron rod set at the intersection of the division line between the aforesaid Lot No. 2, the lands of Richard E. Slacum, et ux. (see S.M. 537/499) and the herein described Lot No. 1;

THENCE leaving Lot No. 2 and binding on the division line between the Slacum lands and the herein described lands, the three (3) following courses and distances;

- 11) North $50^{\circ} 06' 59''$ West 420.03 feet to an iron pipe found;
- 12) South $73^{\circ} 46' 35''$ West 156.33 feet to an iron pipe found and;

- 13) North $50^{\circ} 07' 47''$ West 231.99 feet to an iron pipe found at the terminus of Cemetery Lane at the intersection of the division line between Cemetery Lane and the herein described lands;

THENCE leaving the Slacum lands and Cemetery Lane and binding on the division line between the cemetery and the herein described lands;

- 14) North $29^{\circ} 07' 57''$ East 609.12 feet to an iron pipe found at the intersection of the division line between the cemetery, the first mentioned remaining lands of Edgar & Joyce VanOrden and the herein described Lot No. 1, the above described line following the Corporate Boundary for the Town of Church Hill;

THENCE leaving the cemetery lands and binding on the division line between the remaining lands of VanOrden and the herein described lands along the Corporate Boundary of the Town of Church Hill;

15) North 27° 41' 01" East 1026.76 feet to the place of beginning.

Containing in all 40.118 acres of land, more or less, as surveyed by McCrone, Inc., Registered Professional Engineers and Land Surveyors, in September 1996.

SUBJECT to a proposed fifteen (15) foot wide permanent utilities easement and thirty (30) foot wide temporary easement for construction and repairs as shown on the aforementioned plat and subject to the Statement of Exemption from the requirements of Queen Anne's County Forest Conservation Ordinance under Section 10002.B.14 as shown on the above referenced subdivision plat.

BEING a part of that conveyance from the deed of exchange from Van Land Farms, Inc. to Edgar G. VanOrden and Joyce A. VanOrden, his wife, by deed dated April 7, 1988 and recorded among the Land Record Books for Queen Anne's County, Maryland in Liber M.W.M. 302, Folio 358. (Res. No. CH 89/04, 12-16-04.)

February 2005 Annexation

DESCRIPTION OF 34.122 ACRES OF LAND, MORE OR LESS,
TO BE ANNEXED TO THE TOWN OF CHURCH HILL,
SECOND ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND

BEGINNING for the same at an iron rod found at the intersection of the division line between the lands now or formerly of Frank J. Bonarrigo, et ux. (see MWM 187/69); the lands now or formerly of William B. Coppage, et ux. (see CWC 129/211); the lands now or formerly of Marvin E. Thompson, Jr., et ux. (see MWM 352/390), and the herein described lands as shown on a plat entitled "ANNEXATION PLAT TO THE TOWN OF CHURCH HILL"; said beginning point being further located at the end of the 52nd or South 51° 07' 23" East 300.00 foot line, as described in the Charter of Church Hill, Article I, Section 105, "Description of Corporate Boundaries";

THENCE leaving said beginning point so fixed and binding on the aforesaid existing corporate boundary of the Town of Church Hill, as now surveyed, the following five (5) courses and distances;

- 1) North 51° 07' 23" West 300.23 feet to an iron rod set;
- 2) South 42° 22' 13" West 141.66 feet to a point located along the northeasternmost side of Old Maryland Route 213, passing in transit an iron pipe found 3.93 feet from the end thereof;

THENCE binding on the northeasternmost side of Old Maryland Route 213;

WITH the arc of a curve to the left a distance of 194.78 feet to a point of tangency, said curve having a radius of 764.30 feet, and being scribed by a chord of;

- 3) North 32° 21' 30" West 194.25 feet;
- 4) North 39° 39' 32" West 279.57 feet to a point of curvature;

THENCE with the arc of a curve to the right a distance of 7.17 feet to a point, said curve having a radius of 2,839.79 feet and being scribed by a chord of;

- 5) North 39° 35' 12" West 7.17 feet;

THENCE leaving the corporate limits of the Town of Church Hill and Old Maryland Route 213, and binding on the northeasternmost side of Maryland Route 213 Service Road, the following eleven (11) courses and distances;

- 6) North 52° 05' 11" East 29.44 feet, to a point;
- 7) North 39° 19' 01" West 100.03 feet, to a point;
- 8) North 34° 30' 19" West 90.16 feet, to a point;
- 9) North 23° 52' 38" West 90.71 feet, to a point;
- 10) North 19° 10' 57" West 125.10 feet, to a point;
- 11) North 19° 36' 13" West 10.20 feet, to a point;
- 12) North 26° 15' 28" East 110.68 feet, to a point;
- 13) North 24° 58' 00" West 48.26 feet, to a point;
- 14) North 23° 08' 54" West 88.81 feet, to a point;
- 15) North 46° 15' 49" West 52.89 feet, to a point;
- 16) North 58° 07' 47" West 183.94 feet, to a point along the outline of the lands now or formerly of Andrew T. Wetzel, et ux. (see SM 701/136);

THENCE leaving Maryland Route 213 Service Road and binding on a portion of the southeasternmost outline of the aforesaid Wetzel lands;

- 17) North 40° 16' 48" East 449.25 feet, to a stone found at the southwesternmost outline of the lands now or formerly of The House of Prayer For All People (see SM 510/311);

THENCE leaving the Wetzel lands and binding on the southwesternmost outline of The House of Prayer For All People lands;

18) South $71^{\circ} 52' 46''$ East 308.51 feet, to an iron rod found at the southwesternmost outline of the lands now or formerly of Thomas W. Engelke, et ux. (see MWM 306/853);

THENCE leaving the House of Prayer For All People lands and binding on the southwesternmost outline of the Engelke lands;

19) South $72^{\circ} 04' 16''$ East 1,198.80 feet, to a point in the approximate centerline of Pinder Hill Road, a fifty (50) foot wide right-of-way, passing in transit an iron rod found 25.01 feet from the end thereof;

THENCE binding on the approximate centerline of Pinder Hill Road the following two (2) courses and distances;

WITH the arc of a curve to the left a distance of 100.55 feet to a point of tangency, said curve having a radius of 3,350.00 feet, and being scribed by a chord of;

20) South $18^{\circ} 44' 38''$ West 100.55 feet;

21) South $17^{\circ} 53' 03''$ West 255.53 feet, to a point;

THENCE leaving the approximate centerline of Pinder Hill Road, crossing a portion of Pinder Hill Road and binding on the northwesternmost outline of the lands now or formerly of Donald W. Brooks, et al., Doris H. Lewis, Life Estate (see MWM 389/395);

22) South $40^{\circ} 14' 12''$ West 670.45 feet, to an iron pipe found at the intersection of the division line between the aforesaid Donald W. Brooks lands and the aforementioned lands of Marvin E. Thompson, Jr. et ux. (see MWM 352/390), passing in transit a tall, three (3) inch iron pipe found 76.88 feet from the beginning thereof;

THENCE leaving the Brooks lands and binding on the northwesternmost outline of the aforesaid Thompson lands;

23) South $39^{\circ} 06' 27''$ West 302.82 feet, to the place of beginning.

Containing in all 34.122 acres of land, more or less as surveyed by McCrone, Inc., Registered Professional Engineers and Land Surveyors, in November 2003. (Res. No. CH 87/04, 2-18-05.)

ARTICLE II

The Commission

Section 201. Number, selection, term.

All legislative powers of the town are vested in a Commission (sometimes hereinafter referred to as town) consisting of three (3) Commissioners who are elected as hereinafter

provided. The regular term of the Commissioners is three (3) years or until the succeeding Commissioner(s) takes office. The regular term of Commissioner shall expire on the second Monday in June following the election and qualification of a successor. Each Commissioner holding office at the time this Charter becomes effective will continue to hold office for the term for which the Commissioner was elected and until a successor takes office under the provisions of this Charter.

Section 202. Qualifications of Commissioners.

Commissioners shall have resided in the Town of Church Hill for at least one year immediately preceding their election and shall be qualified voters of the town. Commissioners shall maintain a permanent residence in the town during their term of office.

Section 203. Salary of Commissioners.

Each Commissioner shall receive an annual salary which shall be equal for all Commissioners and may be as specified from time to time by an ordinance passed by the Commission in the regular course of its business; provided, however, that the salary specified at the time any Commissioner takes office may not be changed during the period for which that Commissioner was elected. The ordinance making any change in the salary paid to the several Commissioners, either by way of increase or decrease, shall be adopted prior to the next municipal election, and shall take effect only as to the members of the next succeeding Commission.

Section 204. Meetings of the Commission; President.

The said Commission shall have power to meet and adjourn from time to time as they shall think proper, except the [that] they shall meet at least once in every month, at their first meeting on or after the second Monday in June shall choose from their own body a President, who shall preside at all their meetings, vote on all questions before them, and remain in office until superseded by the appointment of a new President. Special meetings shall be called by the President or a majority of the members of the Commission. All meetings of the Commission shall be open to the public, and the rules of the Commission shall provide that residents of the town will have a reasonable opportunity to be heard at any meeting in regard to any municipal question.

Section 205. Judge of Qualifications of its Members.

The Commission shall be the judge of the election and qualification of its members.

Section 206. Quorum.

A majority of the members of the Commission shall constitute a quorum for the transaction of business, but no ordinance shall be approved nor any other action taken without the favorable votes of a majority of the whole membership of the Commission.

Section 207. Procedure of Commission.

The Commission shall determine its own rules and order of business. It shall keep a journal of its proceedings and enter therein the yeas and nays upon final action of any question, resolution, or ordinance, or at any other time if required by any one member. The journal shall be open to public inspection.

Section 208. Vacancies on the Commission.

Vacancies on the Commission shall be filled in the following manner:

(1) Where the unexpired term in the office of Commissioner, vacated for any reason, exceeds six (6) months, the remaining members of the Commission may call a special election to be conducted within thirty (30) days to fill the vacancy for the remainder of the unexpired term or shall appoint a qualified person to fill the vacancy on a temporary basis until the next regular election of the town. At the next regular election of the town, a qualified person shall be elected to fill the unexpired remainder of the term by the qualified voters of the town, as prescribed in Section 410(b) of this charter.

(2) Where more than one vacancy on the Commission occurs, a special election to fill the vacancies for the remaining portion of the terms shall be held within thirty (30) days. The number of candidates equal to the number of vacant seats to be filled on the Commission who receive the highest number of votes in the special election shall be declared elected. The candidate receiving the highest number of votes shall fill the seat having the longest unexpired portion of term remaining; and, the candidate receiving the second highest number of votes shall fill the seat having the second longest unexpired portion of term remaining.

Section 209. Ordinances.

(a) In order to enable the Commission of Church Hill to fully exercise the power conferred upon them by this charter and to enable them to better promote and preserve the public health, safety and welfare, the Commissioners of Church Hill may pass all ordinances or by-laws that are from time to time necessary.

(b) An ordinance may be passed, amended, rejected or have its consideration deferred at any regular or special Commission meeting held not less than six (6) days or more than sixty (60) days after the meeting at which it was introduced.

(c) Every ordinance passed shall become effective at the expiration of twenty (20) calendar days following approval of the full body of the Commission. Any emergency ordinance shall become effective on the date specified in the ordinance, but never until it has been approved unanimously by the Commission.

(d) Each ordinance shall be posted on the Town Hall bulletin board for one week after it becomes effective.

Section 210. Referendum.

If, before the expiration of twenty (20) calendar days following approval of any ordinance except ordinances approved by the Commission to achieve compliance with state and federal laws or mandates, a petition is filed with the Town Clerk containing the signatures of not less than thirty per centum (30%) of the qualified voters of the town and requesting that the ordinance, or any part thereof, be submitted to a vote of the qualified voters of the town for their approval or disapproval, the Commission shall have the ordinance, or the part thereof requested for referendum, submitted to a vote of the qualified voters of the town at the next regular town election or, in the Commission's discretion, at a special election occurring before the next regular election. The effectiveness of an ordinance requested for referendum, or any part of an ordinance requested for referendum, shall be suspended following the receipt of such petition. Unless disapproved at the election by a majority of the qualified voters voting on the question, an approved ordinance shall become effective on the day following the day of the election. An emergency ordinance, or the part thereof requested for referendum, shall continue in effect for sixty days following receipt of such petition. If the question of approval or disapproval of any emergency ordinance, or any part thereof, has not been submitted to the qualified voters within sixty days following receipt of the petition, the operation of the ordinance, or the part thereof requested for referendum, shall be suspended until approved by a majority of the qualified voters voting on the question at any election. Any ordinance, or part thereof, disapproved by the voters, shall stand repealed. The provisions of this section shall not apply to any ordinance, or part thereof, passed under the authority of Section 517, levying property taxes for the payment of indebtedness, but the provisions of this section shall apply to any ordinance, or any part thereof, levying special assessment charges under the provisions of Section 901 and Section 902. The provisions of this section shall be self-executing, but the Commission may adopt ordinances in furtherance of these provisions and not in conflict with them.

Section 211. Files of Ordinances.

Ordinances shall be permanently filed at the Town Hall in a binder marked "Ordinances" and shall be made available for public inspection.

ARTICLE III

General Powers

Section 301. General Powers.

The Commission shall have the power to pass all such ordinances not contrary to the *Constitution* and laws of the State of Maryland or this Charter as it may deem necessary for the good government of the town; for the protection and preservation of the town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors in the town.

Section 302. Specific Powers.

The Commission shall have, in addition, the power to pass ordinances not contrary to the *Constitution* and laws of this State, for the specific purposes provided in the remaining subsections of this section.

(1) *Administrative.* To create, change, or abolish offices, departments or agencies, other than the offices, departments, and agencies established by this charter; to assign additional functions to offices, departments or agencies established by this charter, but not including the power to create, change, abolish or discontinue or assign to any office, department, or agency any function or duty assigned by this charter to a particular office, department, or agency.

(2) *Advertising.* To provide for advertising for the purposes of the town, for printing, and publishing statements as to the business of the town.

(3) *Aisles.* To regulate and prevent the obstruction of aisles in public halls, churches, and places of amusement, and to regulate the construction and operation of the doors and means of egress therefrom.

(4) *Amusements.* To provide in the interest of the public welfare for licensing, regulating, or restraining public amusements.

(5) *Appropriations.* To appropriate municipal monies for any purpose within the powers of the Commission.

(6) *Auctioneers.* To regulate the sale of all kinds of property at auction within the town and to license auctioneers.

(7) *Band.* To establish a municipal band, symphony orchestra or other musical organization, and to regulate by ordinance the conduct and policies thereof.

(8) *Billboards and Signs.* To license, tax, regulate, restrain, or prohibit the erection or maintenance of billboards, the placing of signs, bills and posters, of every kind and description on any building, fence, post, billboard, pole or other place within the town.

(9) *Buildings.* To make reasonable regulations in regard to buildings and signs to be erected, constructed, or reconstructed in the town, and to grant building permits for them; to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings and structures be made safe or be taken down.

(10) *Cemeteries.* To regulate or prohibit the interment of bodies within the town and to regulate cemeteries.

(11) *Codification.* To provide for the codification of all ordinances which have been or may hereafter be passed.

(12) *Community services.* To provide, maintain, and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment of the inhabitants of the town.

(13) *Cooperative activities.* To make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions.

(14) *Curfew.* To prohibit the youth of the town from being in the streets, lanes, alleys, or public places at unreasonable hours of the night.

(15) *Dangerous conditions.* To compel persons about to undertake dangerous improvements to execute bonds with sufficient sureties conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

(16) *Disorderly houses.* To suppress bawdy houses, disorderly houses and houses of ill fame.

(17) *Dogs.* To regulate the keeping of dogs in the town and to provide, wherever the county does not license or tax dogs, for the licensing and taxing of the same to provide for the disposition of homeless dogs and dogs on which no license fee or taxes are paid.

(18) *Elevators.* To require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or are without a license.

(19) *Explosives.* To regulate or prevent the storage of gunpowder, oil, or any other explosive or combustible matter; to regulate or prevent the use of firearms, fireworks, bonfires, explosives, or any other similar things which may endanger persons or property.

(20) *Filth.* To compel the occupant of any premises, building or outhouse situated in the town, then [when] the same has become filthy or unwholesome, to abate or cleanse the condition and after reasonable notice to the owners or occupants to authorize such work to be done by the proper officers and to assess the expense thereof against such property, making it collectable by taxes or against the occupant or occupants.

(21) *Finances.* To levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the town; to appropriate municipal monies for any purpose within the powers of the Mayor and Commission; to borrow money in accordance with the provisions of this Charter.

(22) *Fire.* To suppress fires and prevent the dangers thereof and to establish and maintain a fire department; to contribute funds to volunteer fire companies serving the town; to

inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards, and to forbid and prohibit the use of fire-hazardous buildings and structures permanently or until the conditions of town fire-hazard regulations are met; to install and maintain fire plugs where and as necessary, and to regulate their use; and to take all other measures necessary to control and prevent fires in the town.

(23) *Food.* To inspect and to require the condemnation of, if unwholesome, and to regulate the sale of, any food products.

(24) *Franchises.* To grant and regulate franchises to water companies, electric light companies, gas companies, telegraph and telephone companies, transit companies, taxicab companies, cable television systems, (following current FCC regulations) and any others which may be deemed advantageous and beneficial to the town, subject, however, to the limitations and provisions of Article 23 and Article 78 of the *Annotated Code of Maryland* (1957 edition, as amended). No franchise may be granted for a period longer than fifty (50) years.

(25) *Gambling.* To restrain and prohibit gambling.

(26) *Garbage.* To prevent the deposit of any unwholesome substance either on private or public property, and to compel its removal to designated points, to require slops, garbage, ashes and other waste or other unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal.

(27) *Grants-in-Aid.* To accept gifts and grants of federal or of state funds from the federal or state governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which gifts or grants were made.

(28) *Hawkers.* To license, tax, regulate, suppress and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers and all other persons selling any articles on the streets of the town, and to revoke such licenses for cause.

(29) *Health.* To protect and preserve the health of the town and its inhabitants; to appoint a public health officer, and to define and regulate his powers and duties; to prevent the introduction of contagious diseases into the town; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate, and abate any buildings, structures, or places which causes or may cause unsanitary conditions or conditions detrimental to health; that nothing herein may be construed to affect in any manner any of the powers and duties of the State Department of Health and Mental Hygiene and Health Department of Washington County [Queen Anne's County], or any public, general or local law relating to the subject of health.

(30) *House numbers.* To regulate the numbering of houses and lots and to compel owners to renumber the same or in default thereof to authorize and require the same to be done by the town at the owner's expense, such expense to constitute a lien upon the property collectable as tax monies.

(31) *Jail.* To establish and regulate a station house or lock-up for temporary confinement of violators of the laws and ordinances of the town or to use the county jail for such purpose.

(32) *Licenses.* Subject to any restrictions imposed by the public general laws of the State, to license and regulate all persons beginning or conducting transient or permanent business in the town for the sale of any goods, wares, merchandise, or services; to license and regulate any business, occupation, trade, calling, or place of amusement or business; to establish and collect fees and charges for all licenses and permits issued under the authority of this Charter.

(33) *Liens.* To provide that any valid charges, taxes or assessments made against any real property inside or outside of the town's boundaries, may be liens upon such property, to be collected as property taxes are collected.

(34) *Lights.* To provide for the lighting of the town.

(35) *Livestock.* To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs, or other animals; to authorize the impounding, keeping, sale and redemption of such animals when found in violation of the ordinance in such cases provided.

(36) *Markets.* To obtain by lease or rent, own, construct, purchase, operate, and maintain public markets within the town.

(37) *Minor privileges.* To regulate or prevent the use of public ways, sidewalks, and public places for signs, awnings, posts, steps, railings, entrances, racks, posting handbills and advertisements, and display of goods, wares, and merchandise.

(38) *Noise.* To regulate or prohibit unreasonable ringing of bells, crying of goods or sounding of whistles and horns.

(39) *Nuisances.* To prevent or abate by appropriate ordinances all nuisances in the town which are so defined by common law, by this Charter, or by the laws of the State of Maryland, whether the same be herein specifically named or not; to regulate, to prohibit, to control the location of, or to require the removal from the town of all trading in, handling of, or manufacture of any commodity which is or may become offensive, obnoxious, or injurious to the public comfort or health. In this connection the town may regulate, prohibit, and control the location of, or require the removal from the town of such things as stockyards, slaughterhouses, cattle or hog pens, tanneries, and boundaries. This listing is by way of enumeration, not limitation.

(40) *Obstructions.* To remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto, or any other places within the limits of the town.

(41) *Parking facilities.* To license and regulate and to establish, obtain by purchase, by lease or by rent, own, construct, operate, and maintain parking lots and other facilities for off-street parking.

(42) *Parks and recreation.* To establish and maintain public parks, gardens, playgrounds, and other recreational facilities and programs to promote the health, welfare, and enjoyment of the inhabitants of the town.

(43) *Planning and Zoning.* To exercise the power as to planning and zoning, conferred upon municipal corporations generally in Article 66B of the *Annotated Code of Maryland* (1957 edition, as amended) subject, however, to the provisions and limitations of said article.

(44) *Police force.* To establish, operate, and maintain a police force.

(45) *Police powers.* To prohibit, suppress, and punish within the town all vice, gambling, and games of chance; prostitution and solicitation therefore [therefor], and the keeping of bawdy houses and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity, and drunkenness. To enforce all ordinances relating to disorderly conduct and the suppression of nuisances equally within the limits of the municipally and beyond those limits for one-half mile, or for so much of this distance as does not conflict with the powers of another municipal corporation.

(46) *Property.* To acquire by conveyance, purchase or gift, real or leasable property for any public purposes; to erect buildings and structures thereon for the benefit of the town, and its inhabitants; and to convey any real or leasable property when no longer needed for the public use, after having given at least twenty (20) days' public notice of the proposed conveyance; to control, protect and maintain public buildings, grounds and property of the town.

(47) *Quarantine.* To establish quarantine regulations in the interests of the public health.

(48) *Regulations.* To adopt by ordinance and enforce within the corporate limits of the town, police, health, sanitary, fire, building, plumbing, traffic, speed, parking, and other similar regulations not in conflict with the laws of the State of Maryland or with this Charter.

(49) *Sidewalks.* To regulate the use of sidewalks and all structures in, under or above the same; to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow or other obstructions; to prescribe hours for cleaning sidewalks.

(50) *Sweepings.* To regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, garbage, paper, handbills, dirty liquids, or other unwholesome materials into any public way or onto any public or private property in the town.

(51) *Streets.* To construct, maintain and improve the streets and to control the public ways of the town and to erect and maintain bridges.

(52) *Taxicabs.* To license, tax and regulate public hackmen, taxicab men, draymen, drivers, cabmen, porters and expressmen, and all other persons pursuing like occupations.

(53) *Vehicles.* To regulate and license wagons and other vehicles not subject to the licensing powers of the State of Maryland.

(54) *Voting Machines.* To purchase, lease, borrow, install, and maintain voting machines for use in town elections.

(55) *Saving Clause.* The enumeration of powers in this section is not to be construed as limiting the powers of the town to the several subjects mentioned.

Section 303. Exercise of Powers.

For the purpose of carrying out the powers granted in this subtitle or elsewhere in this Charter, the Commission may pass all necessary ordinances. All the powers of the town shall be exercised in the manner prescribed by this Charter, or, if the manner is not prescribed, then in such manner as may be prescribed by ordinance.

Section 304. Enforcement of Ordinances.

(a) To ensure the observance of the ordinances of the town, the Commission has the power to provide that violation thereof shall be a misdemeanor, unless otherwise declared to be a municipal infraction, and has the power to affix thereto penalties of a fine not exceeding \$500 or imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Any person subject to any penalty has the right of appeal within ten days to the Circuit Court for Queen Anne’s County. The Commission may provide that, if the violation is of a continuing nature and is persisted in, a conviction for one violation shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

(b) (1) The Commission may provide that violations of any municipal ordinance shall be a municipal infraction unless that violation is declared to be a felony or misdemeanor by the laws of the state or other ordinance. For purposes of this section a municipal infraction is a civil offense.

(2) A fine not to exceed \$500.00 may be imposed for each conviction of a municipal infraction. The fine is payable by the offender to the town within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000.00 for each repeat offense, and each day a violation continues shall constitute a separate offense.

(3) Any person receiving a citation for an infraction may elect to stand trial for the offense by notifying the town in writing of this intention at least five days prior to the date set for payment of the fine. Failure to pay the fine or to give notice of intent to stand trial may result in an additional fine or adjudication by the Court.

(4) Adjudication of a municipal infraction is not a criminal conviction for any purpose, nor does it impose any of the civil disabilities ordinarily imposed by a criminal conviction.

Section 305. Files of Ordinances.

Ordinances shall be permanently filed by the Town Clerk and shall be kept available for public inspection.

ARTICLE IV Nominations and Elections

Section 401. Qualifications of Voters.

Every person who (a) is a citizen of the United States, (b) is at least eighteen (18) years of age, (c) has resided within the corporate limits of the town for thirty (30) days preceding any town election, and (d) is registered to vote in accordance with the provisions of this charter, shall be a qualified voter of the town. Every qualified voter of the town is entitled to vote at all town elections.

Section 402. Board of Supervisors of Elections.

The Commission may appoint a Board of Supervisors of Elections consisting of three (3) members who shall be appointed annually by the Commission on or before the first Monday in October. The terms of the members of the Board of Supervisors of Elections shall begin on the first Monday in October in the year in which they are appointed and shall run for one (1) year. Members of the Board of Supervisors of Elections shall not hold or be candidates for any elective office during their term of office. The Board shall elect one of its members as chairperson. Vacancies on the Board shall be filled by the Commission for the remainder of the unexpired term. The compensation of the members of the Board shall be determined by the Commission.

Section 403. Removal.

Any member of the Board of Supervisors of Elections may be removed for good cause by the Commission. Before removal, the member of the Board of Supervisors of Elections to be removed shall be given a written copy of the charges for removal. There shall be a public hearing on the charges before the Commission, if the member of the Board so requests, within ten (10) days after receiving the written copy of the charges.

Section 404. Town Clerk to act in lieu of Board of Supervisors of Elections.

The Commission may designate the Town Clerk to act in lieu of an established Board of Supervisors of Elections.

Section 405. Duties.

The Board of Supervisors of Elections, or Town Clerk if designated in lieu of a Board of Supervisors of Elections, shall be in charge of any supplemental registration list, nominations,

and all town elections. The Board may appoint election clerks or other employees to assist it in any of its duties, but no salary, expenses or other compensation shall be paid to such appointees except as provided by the Commission.

Section 406. Registration.

(a) *Effective Immediately.* Every person who meets the qualifications of Section 401 (a) – (c) of this charter may register to vote in town elections with the Town Clerk anytime the town office is open provided said registration occurs at least 30 days prior to any town election. Registration books will close 30 days prior to any town election and will not reopen until the day after the election. Registration shall be permanent, and no person shall be entitled to vote in town elections unless he or she is registered. The Commission is hereby authorized and directed, by ordinance, to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration, and to provide for a re-registration when necessary.

(b) *Effective July 1, 1990.* According to the procedures prescribed in the Annotated Code of Maryland, State Election Code, Article 33, Section 3–2(d), residents of the town who are registered with the county to vote in county, state, and federal elections will also be qualified to vote in town elections. In addition, every person who resides in the town and is qualified to vote under the provisions of Section 401 (a) – (c) of this charter but who is not registered to vote in Queen Anne’s County, may register with the Board of Supervisors of Elections to vote in town elections. The Board of Supervisors of Elections shall maintain a supplemental registration list of those town residents desiring to vote in town elections who are not registered to vote in county, state, and federal elections.

Section 407. Notice of Municipal Election.

The Board of Supervisors of Elections shall give at least two (2) weeks’ notice of every election by an advertisement published in at least one newspaper of general circulation in the town and by posting a notice thereof on the Town Hall Bulletin Board.

Section 408. Appeal of the Actions of the Board of Supervisors of Elections.

If any person is aggrieved by the action of the Board of Supervisors of Elections by any action, that person may appeal to the Commission. Any decision or action of the Commission upon such appeals may, in turn, be appealed to the District Court of Queen Anne’s County within thirty (30) days of the decision or action of the Commission.

Section 409. Nominations to the Commission.

Persons may be nominated for elective office in the town by filing a certificate of nomination signed by five qualified voters in the town with the Board of Supervisors of Elections. Such certificate shall state the following:

(1) The office which the candidate is seeking the nomination, (2) the name of the candidate, (3) a statement that the signers of the certificate are qualified voters in the town, and

(4) that the signers support the nomination of the named candidate. The certificate shall be filed with the Board of Supervisors of Elections at least twenty (20) calendar days prior to the election. No person shall file for nomination to more than one elective town public office or hold more than one elective town public office at any one time.

Section 410. Election of Commissioners.

(a) *Regular Elections.* (1) Beginning on the first Monday of June 1989, and every third year thereafter, the qualified voters of the town shall elect one person as Commissioner who shall serve for a term of three years. The person elected shall fill the seat on the Commission that expires on the second Monday of June 1989. (2) Beginning on the first Monday of June 1990, and every third year thereafter, the qualified voters of the town shall elect one person as Commissioner who shall serve for a term of three years. The person elected shall fill the seat on the Commission that expires on the second Monday of June 1990. (3) Beginning on the first Monday of June 1991, and every third year thereafter, the qualified voters of the town shall elect one person as Commissioner who shall serve for a term of three years. The person elected shall fill the seat on the Commission that expires on the second Monday of June 1991.

(b) *Special Elections.* In the case that multiple vacancies on the Commission create the need to fill more than one seat on the Commission, the requisite number of candidates to fill the Commission shall be elected by the qualified voters of the town in the method prescribed in Section 208 of this charter. The natural expiration of the term of Commissioner does not constitute a vacancy on the Commission to be filled by special election.

Section 411. Conduct of Elections.

(a) *Elections shall be on a non-partisan basis.* The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind.

(b) It shall be the duty of the Board of Supervisors of Elections to provide a suitable place or places for voting and suitable ballot boxes and/or voting machines for each general and special election.

(c) The Board of Supervisors of Elections shall keep the polls open from 1:00 p.m. until 7:00 p.m. on election days, or such other hours as may be designated by the Commission.

Section 412. Absentee Ballots.

(a) Any qualified voter of the Town of Church Hill is entitled to vote in any municipal election by absentee ballot. Requests to vote by absentee ballot must be qualified in accordance with the state law.

(b) Requests to vote by absentee ballot must be received by the Board of Supervisors of Elections at least 20 days prior to any town election.

(c) The Board of Supervisors of Elections shall mail absentee ballots to qualified voters, at the request of those voters, not less than fifteen (15) days prior to the election.

(d) Completed absentee ballots must be returned to the Board of Supervisors of Elections prior to election day or on election day before the polls close.

Section 413. Special Elections.

All special town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular town elections.

Section 414. Vote Count.

Within twelve hours after the closing of the polls, the Board of Supervisors of Elections shall determine all the votes, including regular and absentee ballots, cast for each candidate or question and shall certify the results of the election to the Town Clerk who shall record the results in the journal of the Commission. The candidate(s) with the highest number of votes in the general election shall be declared elected.

Section 415. Preservation of Ballots.

All ballots and records used in any town election shall be preserved for at least six (6) months from the date of the election.

Section 416. Women.

Women shall have equal privileges with men in registering, voting, and holding town offices. Whenever the masculine gender has been used as to any registering, voting, or holding town office, it shall be construed to include the feminine gender.

Section 417. Regulation and Control.

The Commission shall have the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of nomination and town elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud.

Section 418. Violations and Penalties.

Any person who (a) fails to perform any duty required under the provisions of this article or any ordinances passed thereunder, (b) in any manner willfully or corruptly violates any of the provisions of this subtitle or any ordinances passed thereunder, or (c) willfully or corruptly does anything which will, or will tend to affect fraudulently any nomination or election, shall be deemed guilty of a misdemeanor. Any officer or employee of the town government who is

convicted of a misdemeanor under the provisions of this section shall immediately upon conviction thereof cease to hold such office or employment.

ARTICLE V

Finance

Section 501. Fiscal Year.

The town shall operate on an annual budget. The fiscal year of the town shall begin on the first day of July and shall end on the last day of June in each year. Such fiscal year shall constitute the tax year, the budget year, and the accounting year.

Section 502. Budget.

The Town Administrator, on such date as the Commission by ordinance may determine, but at least thirty-two (32) days before the beginning of any fiscal year, shall submit a budget to the Commission. The budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year. The total of the anticipated revenues shall equal or exceed the total of the proposed expenditures. The budget shall be a public record in the office of the Clerk, open to public inspection by anyone during normal business hours.

Section 503. Budget Adoption.

Before adopting the budget the Commission shall hold a public hearing thereon. The Commission may insert new items or may increase or decrease the items of the budget. Where the Commission shall increase the total proposed expenditures it shall also increase the total anticipated revenues in any amount at least equal to such total proposed expenditures. The budget shall be prepared and adopted in the form of a resolution. A favorable vote of at least a majority of the total elected membership of the Commission is necessary for adoption.

Section 504. Appropriations.

No public money may be expended without having been appropriated by the Commission. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein.

Section 505. Transfer of Funds.

Any transfer of funds between major appropriations for different purposes must be approved by the Commission before becoming effective.

Section 506. Over-Expenditure Forbidden.

No officer or employee shall during any budget year expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money for any purpose, in excess of the amount appropriated for or transferred to that general classification of expenditure pursuant to this Charter. Any contract, verbal or written, made in violation of this section shall be null and void. Nothing in this section contained, however, may prevent the making of contracts or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

Section 507. Appropriations Lapse After One Year.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered. Any unexpended and unencumbered funds shall be considered a surplus at the end of the budget year and shall be included among the anticipated revenues for the next succeeding budget year.

Section 508. Checks.

All checks issued in payment of salaries or other municipal obligations shall be issued and signed by the Town Administrator and shall be countersigned by the President of the Commission.

Section 509. Taxable Property.

All real property and all tangible personal property within the corporate limits of the town, or personal property which may have a situs there by reason of the residence of the owner therein, is subject to taxation for municipal purposes, and the assessment used shall be the same as that for state and county taxes. No authority is given by this section to impose taxes on any property which is exempt from taxation by any act of the General Assembly.

Section 510. Budget Authorizes Levy.

From the effective date of the budget, the amount stated therein as the amount to be raised by the property tax shall constitute a determination of the amount of the tax levy in the corresponding tax year.

Section 511. Notice of Tax Levy.

Immediately after the levy is made by Commission in each year, the Administrator shall give notice of the making of the levy by posting notice thereof in some public place or places in the town. The Administrator shall make out and mail or deliver in person to each tax payer [taxpayer] or his agent at his last known address a bill or account of the taxes due from him. This bill or account shall contain a statement of the amount of real and personal property with which

the taxpayer is assessed, the rate of taxation, the amount of taxes due, and the date on which the taxes will bear interest. Failure to give or receive any notice required by this section shall not relieve any taxpayer of the responsibility to pay on the dates established by this Charter all taxes levied on his property.

Section 512. When Taxes are Overdue.

Taxes provided for in this Charter shall be due and payable on the first day of July in the year for which they are levied and shall be overdue and in arrears on the first day of the following October. They shall bear interest while in arrears at the rate of two-thirds of one per centum (2/3%) for each month or fraction of a month, or the maximum rate allowed by state law, whichever is greater until paid. All taxes not paid and in arrears after the first day of the following January shall be collected as provided in Section 513.

Section 513. Sale of Tax-Delinquent Property.

A list of all property on which the town taxes have not been paid and which are in arrears as provided by Section 512 of this charter shall be turned over by the Town Clerk to the official of the county responsible for the sale of tax-delinquent property as provided in state law. All property listed thereon, if necessary, shall be sold for taxes by this county official, in the manner prescribed by state law.

Section 514. Fees.

All fees received by an officer or employee of the town government in his official capacity shall belong to the town government and shall be accounted for to the town.

Section 515. Audits.

The financial books and accounts of the town shall be audited annually in a manner determined by the Commission but not contrary to applicable state law.

Section 516. Tax Anticipation Borrowing; Sale of Municipal Bonds or Notes.

(a) *Tax Anticipation Borrowing; Authority to Borrow.* – (1) During the first 6 months of any fiscal year, the town may borrow in anticipation of the collection of the property tax imposed for that fiscal year, and may issue tax anticipation notes or other evidences of indebtedness as evidence of such borrowing.

(2) Such tax anticipation notes or other evidences of indebtedness shall be a first lien upon the proceeds of such tax and shall mature and be paid not later than 6 months after the beginning of the fiscal year in which they are issued.

(3) No tax anticipation notes or other evidences of indebtedness shall be issued which will cause the total tax anticipation indebtedness of the town to exceed 50 percent

of the property tax imposed for the fiscal year in which the notes or other evidences of indebtedness are issued.

(4) All tax anticipation notes or other evidences of indebtedness shall be authorized by ordinance before being issued.

(5) The Commission shall have the power to regulate all matters concerning the issuance and sale of tax anticipation notes.

(b) *Municipal Bonds; Authority to Borrow; Public sale; notice of sale; price; issuance for cash or other valuable consideration; signatures and seals; marketing agreements; General Obligation and Revenue Bonds.* – (1) Municipal bonds or notes may be sold for any public purpose by private negotiated sale without advertisement or publication of notice of sale or at public sale after solicitation of competitive bids, as determined by the resolution or ordinance authorizing the issuance of the bonds or notes.

(2) (i) Any public sale of municipal bonds or notes may be held only after 1 or more insertions of a notice of the sale in either a newspaper of general circulation in the town or a publication having a circulation primarily among the investment and financial community.

(ii) The first insertion of the notice of sale shall be published at least 10 days before the date fixed for the sale.

(3) (i) Municipal bonds or notes issued under this subsection may be sold or redeemed for a price or prices which may be at, above, or below the par value of the bonds or notes, as provided in the authorizing resolution or ordinance.

(ii) The resolution or ordinance that authorizes the municipal bonds or notes may provide for prior redemption of the bonds or notes.

(iii) Municipal bonds or notes may be issued, sold, and delivered on such terms and conditions, including fixed or variable rate or rates of interest or method of determining interest rate or rates, as provided in the authorizing resolution or ordinance.

(4) Municipal bonds or notes may be issued for either cash or other valuable consideration.

(5) The official signatures and seals affixed to any municipal bonds or notes may be imprinted in facsimile.

(6) The town may enter into agreements with agents, banks, fiduciaries, insurers, or others for the purpose of enhancing the marketability of or as security for the bonds or notes and for securing any tendered option granted to holders.

(7) The town is authorized to issue municipal bonds, which may be general obligation bonds to which the full faith, credit and general taxing power of the town are pledged. The town is further authorized to provide for the issuance of municipal bonds payable to principal and interest solely from revenues of one or more revenue producing projects in the town; such bonds shall not constitute an indebtedness of the town to which its full faith, credit or general taxing power are pledged. (Res. 89-2, 1-23-90.)

Section 517. Payment of Indebtedness; General Obligation Bonds.

The power and obligation of the town to pay any and all general obligation bonds, notes, or other evidences of indebtedness issued by it under the authority of this charter shall be unlimited and the town shall levy ad valorem taxes upon all the taxable property of the town for the payment of such bonds, notes, or other evidences of indebtedness and interest thereon, without limitation of amount. The full faith and credit of the town is hereby pledged for the payment of the principal of and the interest on all general obligation bonds, notes, or other evidences of indebtedness issued under the authority of this charter, whether or not such pledge be stated in the bonds, notes, or other evidences of indebtedness, or in the ordinance authorizing their issuance. (Res. 89-2, 1-23-90.)

Section 517A. Payment of Indebtedness; Revenue Bonds.

The town shall have the power to dedicate such revenues as it shall deem proper to the payment of such bonds, notes, or other evidences of indebtedness and interest thereon [thereon] without limitation of amount and to pay therefrom any and all revenue bonds, notes, and other evidences of indebtedness issued by it under the authority of this Charter. Neither the full faith, credit nor the general taxing power of the town are pledged to the payment of such instruments, and they shall not constitute an indebtedness of the town to which its full faith, credit or taxing power are pledged. (Res. 89-2, 1-23-90.)

Section 518. Prior Bond Issues.

All bonds, notes, or other evidences of indebtedness validly issued by the town previous to the effective date of this charter and all ordinances passed concerning them are hereby declared to be valid, legal, and binding and of full force and effect as if herein fully set forth.

Section 519. Purchases and Contracts.

All purchases for the Town government shall be made by the Administrator or her designee. The Commission may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all town purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements or contractual service involving more than five thousand dollars (\$5,000.00) shall be made utilizing competitive bids and on written contracts. The Administrator shall be required to advertise for sealed bids in such a manner as shall be prescribed by ordinance, for all such written contracts. Such written contracts shall be awarded to the bidder who offers the best bid giving consideration to factors such as the lowest price, quality of goods and work, time of delivery or completion and

responsibility of bidders being considered. All such written contracts shall be approved by the Commission before becoming effective. The Commission shall have the right to reject all bids and readvertise. The town at any time in its discretion may employ its own forces or those of any other government or governmental agency for the construction or reconstruction of public improvements without advertising for (or readvertising for) or receiving bids. All written contracts may be protected by such bonds, penalties and conditions as the town may require. The Commission by unanimous vote of those present, but in no event less than two Commissioners, may waive bidding requirements of this section for good cause shown. Notwithstanding the foregoing, whenever the State of Maryland or any Department thereof or Queen Anne’s County has conducted a bid and awarded a contract authorizing local governments to purchase the bid item at the bid price, the Town Administrator is authorized to purchase the item in question or bid price from the successful bidder, without having to conduct bidding for the Town of Church Hill if the Town Administrator independently acquires and documents market conditions, information and determines that the bid price is competitive. No purchase shall be made under these local government bidding procedures without the Town Administrator having, at least seven (7) days in advance of executing the purchase documents, so informed the Commission of the intention to make a purchase. However, for any purchase order exceeding five thousand dollars (\$5,000.00) the Town Administrator shall request that this Commission waive bidding for good cause shown. (Res. 48–95, 1–23–96.)

ARTICLE VI
Administration

Section 601. Town Administrator.

(a) *Appointment, tenure, removal.* There shall be a Town Administrator appointed by the Commission and who shall serve at the pleasure of the Commission. The Administrator shall be appointed by Commission with approval of a two-thirds (2/3) majority vote for an indefinite term. A two-thirds (2/3) majority vote of all members of the Commission shall be required for removal.

(b) *Qualifications.* The Administrator shall be chosen on the basis of executive and administrative qualifications with reference to knowledge of or experience with the duties of the office. The Administrator shall furnish to the town for approval a surety bond in an amount to be prescribed by the Commission and approved by the Town Attorney. The bond shall be conditioned on the faithful performance of duties. The bond premium shall be paid by the town.

(c) *Compensation.* The Administrator shall receive such compensation as the Commission fixes from time to time.

(d) *Duties and responsibilities.* The Administrator shall be the chief financial officer and chief personnel officer of the town. The financial powers of the town, except as otherwise provided by this charter, shall be exercised by the Administrator under the direct supervision of the Commission. Under the supervision of the Commission, the Administrator shall have authority and be required to:

- (1) Prepare an annual budget to be submitted to the Commission.
- (2) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to assure that budget appropriations are not exceeded.
- (3) Maintain a general accounting system for the town in such form as the Commission may require, not contrary to state law.
- (4) Submit at the end of each fiscal year, and at such other times as the Commission may require, a complete financial report to the Commission.
- (5) Ascertain that all taxable property within the town is assessed for taxation.
- (6) Collect all taxes, special assessments, license fees, liens, and all other revenues (including utility revenues) of the town, and all other revenues for whose collection the town is responsible, and receive any funds receivable by the town.
- (7) Have custody of all public monies, belonging to or under the control of the town, except as to funds in the control of any set of trustees, and have custody of all bonds and notes of the town.
- (8) Do such other things in relation to the fiscal or financial affairs of the town as the Commission may require or as may be required elsewhere in this charter.

Section 602. Town Clerk.

A Town Clerk may be appointed by the Commission. The Clerk shall attend every meeting of the Commission and keep a full and accurate account of the proceedings of the Commission. The Clerk shall keep such other records and perform such other duties as may be required by this Charter or the Commission. The Clerk shall furnish to the town for approval a surety bond in an amount to be prescribed by the Commission and approved by the Town Attorney. The bond shall be conditioned on the faithful performance of duties. The bond premium shall be paid by the town.

Section 603. Town Attorney.

A Town Attorney may be appointed by the Commission. The [Town] Attorney shall be a member of the bar of the Maryland Court of Appeals. The Attorney shall be the legal adviser of the town and shall perform such duties in this connection as may be required by the Commission. The Town Attorney's compensation shall be determined by the Commission. The town shall have the power to employ other legal consultants as it deems necessary from time to time.

Section 604. Authority to Employ Personnel.

The Town Commission shall have the power to employ such officers and employees, and by ordinance adopt a personnel policy, as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the town government.

Section 605. Compensation of Employees.

The compensation of all officers and employees of the town shall be set from time to time by a resolution passed by the Commission, subject to the restrictions imposed upon establishing the salaries of the Commission.

Section 606. Employee Benefit Programs.

The town is authorized and empowered to provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees, and to expend public monies of the town for such programs.

Section 607. Retirement System.

The town shall have the power to do all things necessary to include its officers and employees, or any of them, within any retirement system or pension system under the terms of which they are admissible, and to pay the employer's share of the cost of any such retirement or pension system out of the general funds of the town.

**ARTICLE VII
Public Ways and Sidewalks**

Section 701. Definition of Public Ways.

The term "public ways" as used in this Charter includes all streets, avenues, roads, highways, public thoroughfares, lanes, and alleys.

Section 702. Control of Public Ways.

The town shall have control of all public ways in the town except such as may be under the jurisdiction of the Maryland State Highway Administration. Subject to the laws of the State of Maryland and this charter, the town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the town.

Section 703. Public Ways: Powers.

The town shall have the power:

- (a) To establish, regulate, and change from time to time the grade lines, width, and construction materials of any public way or part thereof, bridge, curbs, and gutters.
- (b) To grade, lay out, construct, open, extend, and make new public ways.
- (c) To grade, straighten, widen, alter, improve, or close up any existing public way or part thereof.
- (d) To pave, surface, repave, or resurface any town public way or part thereof, and to provide for all necessary removal therefrom of snow, ice and debris.
- (e) To install, construct, reconstruct, repair and maintain curbs and/or gutters along any town public way or part thereof.
- (f) To construct, reconstruct, maintain, and repair bridges.
- (g) To name public ways.
- (h) To have surveys, plans, specifications, and estimates made for any of the above activities or projects or parts thereof.

Section 704. Sidewalks: Powers.

The town shall have the power:

- (a) To establish, regulate, and change from time to time the grade lines, width, and construction materials of any sidewalk or part thereof on town property along any public way or part thereof.
- (b) To grade, lay out, construct, reconstruct, pave, repave, repair, extend, or otherwise alter sidewalks on town property along any public way or part thereof.
- (c) To require that the owners of any property abutting on a sidewalk keep the sidewalk clear of all ice, snow, and other obstructions.
- (d) To require and order the owner of any property abutting on any public way in the town to perform any projects authorized by this Section at the owner's expense according to reasonable plans and specifications. If, after due notice, the owner fails to comply with the order within a reasonable time, the town may do the work, and the expense may be a lien on the property and may be collectible in the same manner as are town taxes or by suit at law.

ARTICLE VIII Water and Sewer

Section 801. Powers.

The town shall have the power to acquire, establish, design, construct, reconstruct, expend, extend, alter, improve, operate, maintain and repair a water supply and distribution system, a sanitary sewer system, a storm water drainage system, and a sanitary disposal plant, system or stabilization lagoon, within or without the corporate limits of the town, and to take any and all action necessary or appropriate thereto, including the making of surveys, plans, specifications and estimates. The town may by ordinance regulate the use and operation of any such plant or system or part thereof in any manner it deems to be in the public interest.

Section 802. Placing Structures in Public Ways.

Any public service corporation, company, or individual, before beginning any construction of or placing of or changing the location of any main, conduit, pipe, or other structure in the public ways of the town, shall submit plans to the town and obtain written approval upon such conditions and subject to such limitations as shall be imposed by the town. Any public service corporation, company, or individual violating the provisions of this section shall be guilty of a misdemeanor. If any unauthorized main, conduit pipe or other structure interferes with the operation of the water, sewerage, or storm water systems, the town may order it removed.

Section 803. Obstructions.

All individuals, firms, or corporations having mains, pipes, conduits, or other structures, in, on, or over any public way in the town or in the County which impede the establishment, construction, or operation of any town sewer or water main shall, upon reasonable notice, remove or adjust the obstructions at their own expense to the satisfaction of the town. If necessary to carry out the provisions of this section, the town may use its condemnation powers provided in Section 1002. Any violation of an ordinance passes [passed] under the provisions of this section may be made a misdemeanor.

Section 804. County Public Ways.

The town may enter upon or do construction, in, on, or over any public way for the purpose of installing or repairing any equipment or doing any other things necessary to establish, operate, and maintain the water system, water plant, sanitary sewerage system, sewage treatment plant, or storm water sewers provided for in this Charter.

Section 805. Connections.

The town shall provide for each and every property abutting upon a street or right of way in which a water main or sewer is laid, a water service pipe or sewer connection, which shall be extended from the water main or sewer to the property line of the abutting lot, and shall be

constructed by the town, but subject to the connection charge provided for in Section 806 (which charge shall be paid before the actual connection with any pipe or private property is made). When any water main or sanitary sewer is declared by the town complete and ready for operation by the town, all abutting property owners after reasonable notice shall connect all fixtures with the water or sewer main within the time prescribed by the town. Where the aforesaid fixtures do not exist, or are of a nature which, in the judgment of the town, is improper or inadequate, satisfactory equipment shall be installed by the owner on the premises consisting of at least one water closet and one sink or washbasin, both of which shall be properly connected with the sewer. The town may require that all cesspools, sinkdrains, and privies be abandoned, filled, removed or left in such a way as not to injure public health. All wells found to be polluted or a menace to health may be ordered to be abandoned and closed. Any violation of an ordinance passed under the provisions of this section may be made a misdemeanor.

Section 806. Charge for Connections.

The town may make a charge, the amount to be determined by the Commission, for each connection made to the town's water or sewer mains. This charge may be changed from year to year. Arrangements for the payment of this charge shall be made before the connection is made.

Section 807. Improper Uses.

In order to prevent any leakage or waste of water or other improper use of the town's water system or sewage disposal system, the town may require such changes in plumbing, fixtures, or connections as it deems necessary to prevent such waste or improper use.

Section 808. Private Systems.

The town may by ordinance provide that no water supply, sewerage, or storm water drainage system, and no water mains, sewers, drains, or connections therewith, shall be constructed or operated by any person or persons, firm, corporation, institution, or community, whether upon private premises or otherwise, and may provide that cesspools or other private methods of sewage disposal shall be operated and maintained in such a manner that they do not and will not be likely to affect adversely the public comfort and health. And any cesspool or other private method of sewage disposal affecting or likely to affect adversely the public comfort and health may be deemed a nuisance and may be abated by the town. Any violation of an ordinance passed under the provisions of this section may be made a misdemeanor.

Section 809. Extensions Beyond Boundaries.

The town shall have the power to extend its water or sewerage systems beyond the town limits.

Section 810. Right of Entry.

Any employee or agent of the town, while in the necessary pursuit of his official duties with regard to the water or sewage disposal systems operated by the town, shall have the right of

entry for access to water or sewer installations, at all reasonable hours, and after reasonable advance notice to the owner, tenant, or person in possession, upon any premises and into any building in the town or in the County served by the town's water or sewage disposal system. Any restraint or hindrance offered to such entry by any owner, tenant, or person in possession, or the agent of any of them, may by ordinance, be made a misdemeanor.

Section 811. Pollution of Water Supply.

No person shall do anything which will discolor, pollute, or tend to pollute any water used or to be used in the town water supply system. Any violation of the provisions of this section shall be a misdemeanor.

Section 812. Contracts for Water or Sewage Removal.

The town, if it deems it advisable, shall contract with any party or parties, inside or outside the town, to obtain water or to provide for the removal of sewage.

Section 813. Service Rates.

The town shall have the power to charge and collect such service rates, water rents, ready-to-serve charges, or other charges as it deems necessary for water supplied and for the removal of sewage. These charges are to be billed and collected by the Town Clerk, and if bills are unpaid within thirty (30) days, they may be delinquent. All charges shall be a lien on the property, collectable in the same manner as town taxes or by suit at law.

ARTICLE IX
Special Assessments

Section 901. Powers.

The town shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon such property by the installation or construction of municipal improvements and to provide for the payment of all or any part of the above project out of the proceeds of such special assessment. The cost of any project to be paid in whole or in part by special assessment shall include the direct cost thereof, the cost of any land acquired for the project, the interest on bonds, notes, or other evidences of indebtedness issued in anticipation of the collection of special assessments, a reasonable charge for the services of the administrative staff of the town, and any other item of cost which may reasonably be attributed to the project.

Section 902. Procedure.

The procedure for special assessments, wherever authorized in this Charter, shall be as follows:

(a) *Front foot rule.* The cost of the project being charged for shall be assessed according to the front foot rule of apportionment [apportionment] or some other equitable basis determined by the Commission.

(b) *Maximum assessment.* The amount assessed against any property for any project or improvement shall not exceed the value of the benefits accruing to the property.

(c) *Classes.* When desirable, the affected property may be divided into different classes to be charged different rates, but except for this, any rate shall be uniform.

(d) *Levy.* All special assessment charges shall be levied by the Commission by ordinance. Before levying any special assessment charges, the Commission shall hold a public hearing. The Town Clerk shall cause notice to be given stating the nature and extent of the proposed project, the kind of materials to be used, the estimated cost of the project, the portion of the cost to be assessed, the number of installments in which the assessment may be paid, the method to be used in apportioning the cost, and the limits and place at which all persons interested, or their agents or attorneys, may appear before the Commission and be heard concerning the proposed project and special assessment. Such notice shall be given by sending a copy thereof by mail to the owner of record of each parcel of property proposed to be assessed and to the person in whose name the property is assessed for taxation and by publication of a copy of the notice at least once in a newspaper of general circulation in the town. The Town Clerk shall present at the hearing a certificate of publication and mailing of copies of the notice, which certificate shall be deemed proof of notice, but failure of any owner to receive the mailed copy shall not invalidate the proceedings. The date of hearing shall be set at least ten (10) and not more than thirty (30) days after the Town Clerk shall have completed publication and service of notice as provided in this section. Following the hearing the Commission in its discretion, may vote to proceed with the project and may levy the special assessment.

(e) *Appeals.* Any interested person feeling aggrieved by the levying of any special assessment under the provisions of this section shall have the right to appeal to the Circuit Court of Queen Anne's County within ten (10) days after the levying of any assessment by the Commission.

(f) *Payment.* Special assessments may be made payable in annual or more frequent installments over such period of time, not to exceed forty (40) years, and in such manner as the Commission may determine. The Commission shall determine on what date installments shall be due and payable. Interest may be charged on installments at the rate to be determined by the Commission.

(g) *Due date.* All special assessment installments shall be overdue six (6) months after the date on which they became due and payable. All special assessments shall be liens on the property and all overdue special assessments shall be collected in the same manner as town taxes or by suit at law.

(h) *Collection.* All special assessments shall be billed and collected by the Town Clerk.

**ARTICLE X
Town Property**

Section 1001. Acquisition, Possession, and Disposal.

The town may acquire, real, personal, or mixed property within the corporate limits of the town for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the town. All municipal property, funds, and franchises of every kind belonging to or in the possession of the town (by whatever prior name known) at the time this Charter becomes effective are vested in the town, subject to the terms and conditions thereof.

Section 1002. Condemnation.

The town shall have the power to condemn property of any kind, or interest therein of franchise connected therewith, in fee, or as an easement, within the corporate limits of the town, for any public purpose. Any activity, project, or improvement authorized by the provisions of this Charter or any other State law applicable to the town shall be deemed to be a public purpose. The manner of procedure in case of any condemnation proceedings shall be that established in the “Real Property” Article of the *Annotated Code of Maryland*, Title 12, Eminent Domain, enacted by Chapter 12, Acts 1974.

Section 1003. Town Buildings.

The town shall have the power to acquire, to obtain by lease or rent, to purchase, construct, operate, and maintain all buildings and structures it deems necessary for the operation of the town government.

Section 1004. Protection of Town Property.

The town shall have the power to do whatever may be necessary to protect town property and to keep all town property in good condition.

**ARTICLE XI
General Provisions**

Section 1101. Oath of Office.

(a) *Text.* Before entering upon the duties of their offices, the Commissioners, shall take and subscribe the following oath or affirmation:

“I, do swear (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the

State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Commissioner of Church Hill according to the Constitution and Laws of this State.”

(b) *Administered.* The Commissioners shall take this oath or affirmation before a notary public or other officer authorized to administer oaths in the State of Maryland, who shall certify to the Town Clerk that such oath has been administered, which certification shall be filed and recorded in the journal of the proceedings of the Commission.

Section 1102. Official Surety Bonds.

Such other officers or employees of the town as the Commission or this Charter may require, shall give bond in such amount and with such surety and with such conditions as may be required by the Commission. The premiums on such bonds shall be paid by the town.

Section 1103. Prior Rights and Obligations.

All right, title, and interest held by the town or any other person or corporation at the time this Charter is adopted, in and to any lien acquired under any prior Charter of the town, are hereby preserved for the holder in all respects as if this Charter had not been adopted, together with all rights and remedies in relation thereto. This Charter shall not discharge, impair, or release any contract, obligation, duty, liability, or penalty whatever existing at the time this Charter becomes effective. All suits and actions, both civil and criminal, pending, or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance repealed by this Charter, shall be instituted, proceeded with, and prosecuted to final determination and judgment as if this Charter had not become effective.

Section 1104. Reserved.

Section 1105. Effect of Charter on Existing Ordinances.

(a) *Not in conflict.* All ordinances, resolutions, rules and regulations in effect in the town at the time this Charter becomes effective which are not in conflict with the provisions of this Charter shall remain in effect until changed or repealed in accordance with provisions of authority granted in this Charter.

(b) *In conflict.* All ordinances, resolutions, rules, and regulations in effect in the town at the time this Charter becomes effective which are in conflict with the provisions of this Charter are repealed to the extent of such conflict.

Section 1106. Separability.

If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter not [nor] the context in which such section or part of a section so held invalid may appear, except to the extent

that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding may directly apply.

