

CHARTER

OF THE

# City of Greenbelt

PRINCE GEORGE'S COUNTY, MARYLAND

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## GREENBELT

### Section 1. Incorporated; general powers.

The inhabitants of the City of Greenbelt, in Prince George's County, are a body corporate by the name of the City of Greenbelt, Maryland and by that name shall have perpetual succession, sue and be sued, have and use a common seal, and may purchase and hold or dispose of real and personal property for the benefit of said city. (1937, ch. 532, § 1; 1949, ch. 583, § 1.) (See note (1))

### Section 2. Boundaries. (See note (2))

(a) *First.* The boundaries of said city shall be as follows: Beginning at a concrete monument, No. 1 on the north right-of-way line of the Branchville Glendale Road, said point of beginning having coordinates of N 39516.49–E 26874.65, said coordinates are developed from Triangulation Station “Cedar” whose coordinates are N 43517.17–E 36218.56 and the bearings given are true grid north bearing from Triangulation State “Cedar” to Reference Monument No. 3 for Station “Cedar”–N 06° 38' 09" E–thence N 38° 48' 10" E a distance of 1468.44 feet to concrete monument; thence S 77° 41' 40" E a distance of 200.09 feet to concrete monument; thence N 30° 13' 04" E a distance of 3775.56 feet to concrete monument; thence N 49° 23' 20" W a distance of 353.70 feet to concrete monument; thence S 47° 08' 04" W a distance of 249.77 feet to concrete monument; thence S 16° 18' 20" W a distance of 555.86 feet; thence S 87° 59' 00" W a distance of 792.23 feet to concrete monument; thence S 28° 55' 30" W a distance of 371.30 feet to a concrete monument; thence S 43° 00' 20" W a distance of 563.18 feet to concrete monument; thence S 43° 00' 20" W a distance of 20.00 feet to a concrete monument; thence S 87° 59' 00" W a distance of 20.00 feet to concrete monument; thence S 14° 26' 40" W a distance of 178.00 feet to concrete monument; thence N 38° 19' 20" W a distance of 500.42 feet to concrete monument; thence S 43° 20' 04" W a distance of 1088.98 feet to concrete monument; thence N 23° 19' 10" E a distance of 1478.96 feet to concrete monument; thence N 64° 02' 10" W a distance of 171.19 feet to concrete monument; said point being in the easterly R/W line of the B. & O. R. R.

(b) *Second.* Thence with said R/W line N 34° 57' 00" E a distance of 1044.25 feet to a concrete monument; thence following said R/W line and on a curve to the left whose radius is 6879.42 feet, Delta 09° 46' 00" chord N 30° 04' 00" E 1171.25 feet to a concrete monument; thence leaving said R/W–S 55° 18' 20" E a distance 55.69 feet to a concrete monument; thence N 28° 42' 10" E a distance of 26.74 feet to concrete monument; thence S 55° 20' 10" E a distance of 891.80 feet to concrete monument; thence N 64° 07' 50" E a distance of 264.89 feet to concrete monument; thence S 73° 46' 10" E a distance of 498.60 feet to concrete monument; thence N 60° 21' 50" E a distance of 664.50 feet to concrete monument; thence S 76° 57' 00" E a distance of 479.76 feet to concrete monument; thence S 49° 41' 10" E a distance of 1620.00 feet to concrete monument; thence N 60° 39' 50" E a distance of 1096.87 feet to concrete monument; thence S 82° 02' 30" E a distance of 840.64 feet to concrete monument; thence S 75° 23' 20" E a distance of 115.44 feet to concrete monument; thence S 87° 48' 50" E a distance of 230.81 feet on concrete monument; thence S 07° 42' 40" E a distance of 403.79 feet to concrete monument; thence N 59° 14' 20" E a distance of 139.78 feet to concrete monument; thence N 65° 00' 40" E a distance of 303.06 feet to concrete monument; thence N 76° 18' 50" E a distance of 164.23 feet to concrete monument; thence

N 75° 48' 40" E a distance of 164.23 feet to concrete monument; thence S 89° 36' 20" E a distance of 279.10 feet to concrete monument; thence S 83° 50' 00" E a distance of 82.10 feet to concrete monument; thence S 87° 53' 40" E a distance of 157.36 feet to concrete monument; thence N 20° 53' 20" E a distance of 52.00 feet to concrete monument; thence N 00° 04' 10" W a distance of 200.10 feet to concrete monument; thence S 51° 05' 20" E a distance of 1079.88 feet to concrete monument; thence N 51° 24' 50" E a distance of 272.66 feet to concrete monument; thence N 00° 03' 40" W a distance of 932.48 feet to concrete monument; thence N 89° 59' 40" E a distance of 4799.22 feet to concrete monument; thence S 00° 00' 00" E a distance of 2141.80 feet to concrete monument; thence S 15° 58' 30" W a distance of 1038.15 feet to concrete monument in the northerly R/W line of the Washington–Baltimore Highway.

(c) *Third.* Thence crossing said highway–S 30° 49' 00" E a distance of 557.70 feet to concrete monument in the southerly R/W line of the Washington–Baltimore Highway; thence S 00° 00' 00" E a distance of 4766.48 feet to concrete monument; thence S 86° 02' 40" E a distance of 803.98 feet to concrete monument; thence S 01° 30' 00" E a distance of 201.46 feet to concrete monument; thence S 23° 36' 00" W a distance of 1932.17 feet to concrete monument; thence N 79° 49' 00" W a distance of 67.08 feet to concrete monument; thence N 00° 48' 40" W a distance of 163.86 feet to concrete monument; thence N 62° 53' 50" W a distance of 1204.79 feet to concrete monument; thence N 20° 55' 30" W a distance of 428.55 feet to concrete monument; thence N 62° 50' 50" W a distance of 362.67 feet to concrete monument; thence N 30° 07' 10" W a distance of 231.83 feet to concrete monument; thence N 12° 59' 20" E a distance of 428.72 feet to concrete monument; thence N 60° 40' 40" W a distance of 230.63 feet to concrete monument; thence S 49° 32' 00" W a distance of 1427.32 feet to concrete monument; thence N 83° 46' 50" W a distance of 78.73 feet to concrete monument; thence S 15° 51' 50" W a distance of 71.74 feet to concrete monument; thence N 76° 13' 20" W a distance of 746.16 feet to concrete monument; thence N 06° 32' 40" E a distance of 725.78 feet to concrete monument; thence N 83° 17' 40" W a distance of 327.46 feet to concrete monument; thence N 14° 04' 00" E a distance of 311.37 feet to concrete monument; thence N 33° 13' 00" E a distance of 224.70 feet to concrete monument; thence N 08° 10' 40" E a distance of 254.48 feet to concrete monument; thence N 06° 06' 30" W a distance of 187.40 feet to concrete monument; thence N 80° 15' 00" E a distance of 355.00 feet to concrete monument; thence N 71° 04' 10" W a distance of 391.74 feet to concrete monument; thence N 90° 00' 00" W a distance of 598.00 feet to concrete monument, in a southerly R/W line of the Washington–Baltimore Highway.

(d) *Fourth.* Thence crossing said highway–N 38° 43' 50" W a distance of 654.85 feet to concrete monument; thence S 62° 46' 50" W a distance of 1255.77 feet to concrete monument; thence N 76° 46' 50" W a distance of 993.67 feet to concrete monument; thence S 53° 20' 00" E a distance of 158.82 feet to concrete monument; thence S 68° 02' 40" E a distance of 82.32 feet to concrete monument; thence S 76° 01' 40" E a distance of 134.92 feet to concrete monument; thence S 8° 50' 40" E a distance of 269.69 feet to concrete monument; thence S 36° 06' 20" E a distance of 310.14 feet to concrete monument, in a northerly R/W line of the Washington–Baltimore Highway.

(e) *Fifth.* Thence crossing the highway–S 24° 41' 10" E a distance of 448.83 feet to a concrete monument; thence S 03° 03' 40" E a distance of 500.22 feet to a concrete monument; thence S 07° 04' 30" E a distance of 711.53 feet to a concrete monument; thence S 85° 36' 10" E a



distance of 570.73 feet to a concrete monument; thence S 10° 09' 30" W a distance of 741.64 feet to a concrete monument; thence S 11° 33' 00" W a distance of 1753.40 feet to a concrete monument; thence S 32° 51' 30" W a distance of 4097.92 feet to a concrete monument, in the south R/W line of Good Luck Road.

(f) *Sixth.* Thence with said R/W line—S 83° 47' 20" W a distance of 850.36 feet to a concrete monument said point being in the S. line of Good Luck Road and the easterly line of the Washington–Baltimore Highway; thence crossing the Washington–Baltimore Highway S 87° 59' 10" W a distance of 2567.46 feet to a concrete monument in the westerly R/W line of said highway.

(g) *Seventh.* Thence N 17° 18' 50" E a distance of 910.64 feet to concrete monument; thence S 88° 18' 20" W a distance of 399.77 feet to concrete monument; thence S 17° 18' 40" a distance of 909.17 feet to concrete monument; thence N 87° 51' 20" W a distance of 593.32 feet to concrete monument; thence N 85° 42' 30" W a distance of 341.64 feet to concrete monument; thence S 83° 17' 40" W a distance of 354.85 feet to concrete monument; thence N 84° 23' 40" W a distance of 498.44 feet to concrete monument; thence N 86° 35' 30" W a distance of 882.98 feet to concrete monument; thence S 65° 00' 00" W a distance of 281.94 feet to concrete monument, in the East R/W line of Edmonston Road.

(h) *Eighth.* Thence with said R/W line—N 14° 47' 30" E a distance of 2172.50 feet to a concrete monument; thence continuing along said R/W line on a curve to the left whose radius is 1501.44 Delta 25° 00' 00" chord N 02° 17' 30" E 649.94 feet to a concrete monument; thence along a curve to the right whose radius is 388.20 Delta 45° 59' 50" chord N 12° 47' 25" E 303.36 feet to a concrete monument; thence N 35° 47' 20" E 1037.89 feet to a concrete monument; thence along a curve to the left whose radius is 1328.64 Delta 23° 26' 10" chord N 24° 03' 15" E 540.44 feet to a concrete monument; thence N 12° 19' 10" E 1029.90 feet to a concrete monument; thence along a curve to the right whose radius is 2115.58 Delta 21° 38' 00" chord N 23° 08' 10" E 794.05 feet to a concrete monument; thence N 33° 57' 10" E 247.38 feet to a concrete monument, said point being on the easterly right-of-way line of Edmonston Road.

(i) *Ninth.* Thence leaving the R/W—S 61° 42' 20" E a distance of 414.49 feet to concrete monument; thence S 02° 01' 20" E a distance of 2068.00 feet to concrete monument; thence N 83° 13' 40" E of [a] distance of 874.00 feet to concrete monument; thence N 07° 16' 20" W a distance of 1602.00 feet to concrete monument; thence N 22° 58' 40" E a distance of 1248.36 feet to concrete monument; thence N 66° 37' 40" E a distance of 1001.40 feet to concrete monument; thence N 57° 28' 40" E a distance of 180.40 feet to concrete monument; thence N 48° 45' 40" E a distance of 220.40 feet to concrete monument; thence N 49° 47' 20" W a distance of 340.60 feet to concrete monument; thence S 89° 13' 40" W a distance of 997.00 feet to concrete monument; thence N 83° 46' 20" W a distance of 300.00 feet to concrete monument; thence N 73° 24' 10" W a distance of 134.57 feet to concrete monument, in the east R/W line of Edmonston Road.

(j) *Tenth.* Thence with said R/W—N 36° 34' 30" E a distance of 469.29 feet to concrete monument; thence on a curve to the left radius 1031.47 Delta—1409.00 chord N 29° 39' 00" E 254.09 feet to a concrete monument, said monument being on the east right-of-way line of the old right-of-way line of Edmonston Road; thence S 65° 34' 30" E 20.00 feet to a concrete monument

on the widened right-of-way of Edmonston Road; thence with the said right-of-way line N 24° 25' 40" E 45.33 feet to a concrete monument on the said right-of-way line.

(k) *Eleventh*. Thence leaving said R/W-S 81° 59' 20" E a distance of 166.82 feet to concrete monument; thence N 07° 56' 30" E a distance of 100.00 feet to concrete monument; thence N 82° 05' 50" W a distance of 137.31 feet to concrete monument on the easterly R/W line of Edmonston Road.

(l) *Twelfth*. Thence crossing said road-N 81° 21' 10" W to the westerly R/W line of said Edmonston Road and the corporate boundary of the Town of Berwyn Heights, and thence following said R/W line of Edmonston Road in a northerly direction to the intersection of Branchville Road (Greenbelt Road); thence in an easterly direction along the south R/W line of Branchville Road (Greenbelt Road), a distance of 625.37 feet to a monument on the south line of the Branchville Road (Greenbelt Road).

(m) *Thirteenth*. Thence crossing the road-N 12° 26' 20" E a distance of 80.00 feet to a concrete monument in the north R/W line of said road-thence N 77° 33' 45" W 1990.02 feet to a concrete monument; thence on a curve to the left whose radius is 5769.58 Delta 08° 48' 30" chord N 81° 58' 00" W 886.43 feet to the point of beginning; provided, however, that the City of Greenbelt, a municipal corporation, shall not exercise jurisdiction over any territory within said described limits, the title to which was not held by the City of Greenbelt or by the United States of America on June 1, 1948.

In addition to the boundaries of the city as described in subsections (a) through (m) of this section, the city shall include all the land described as follows:

All that parcel of land lying and being in Prince George's County, recorded in Liber 4157 at folio 74, described as follows:

Beginning at a corner common to the Agricultural Research Center, the City of Greenbelt and Washington-Baltimore Parkway, said point being distant North 2377.20 feet from the corner common to the Agricultural Research Center, National Aeronautics and Space Administration, and the City of Greenbelt; thence running from said beginning point, so fixed, with the division line between the City of Greenbelt and the Agricultural Research Center North 2122.20 feet to a stone found marking the northeast corner of the City of Greenbelt;

Thence across the land of the Agricultural Research Center East 574.12 feet to a point in the northwesterly side of the Washington-Baltimore Parkway;

Thence with said side the following three courses and distances; S 15° 31' 37" W 520.24 feet to a stone found; S 14° 59' 38" W 1034.99 feet to a stone found; S 15° 03' 18" W 643.28 feet to the point of beginning.

The property herein described contains 13.9044 acres, more or less, and was formerly a portion of the Agricultural Research Center, Part of Area No. 5 Parcel 2, Beltsville, Prince

George's County, Maryland, A-Md-404F, under the administrative jurisdiction of the Department of Agriculture, an agency of the United States Government.

All that piece or parcel of land, situate, lying and being in 21st Election District, Prince George's County, State of Maryland, being part of Lot Four described in a conveyance by the State of Maryland to the United States of America by deed dated October 2, 1937 and recorded among the Land Records of Prince George's County, Maryland, in Liber 485 at Folio 116 and being more particularly described as follows:

Beginning at a pipe set on the most easterly right-of-way line of the Baltimore and Ohio Railroad, said point also being on the 11th line of Lot 4, Liber 485, Folio 116, 56.96 feet from a monument found at the end of said 11th line, thence running with the said easterly right-of-way line of the Baltimore and Ohio Railroad as delineated on B & O Right-of-Way Valuation Maps No. V 18 1/11 and 12 and in the meridian of the Washington Suburban Sanitary Commission and along the arc of a curve to the left having an arc length of 175.07 feet, a radius of 5762.58 feet and a chord bearing and length of North 23° 25' 38" East 175.07 feet to a pipe set, said point being at the intersection of the aforesaid Easterly right-of-way line of the B & O R.R. and the most southerly right-of-way line of the Capital Beltway (Interstate Route # 495) 300' wide R/W, said point being opposite centerline station 357+48.32, thence leaving the B & O R.R. and running with said southerly right-of-way line of Route I-495 as delineated on Maryland State Roads Commission Right-of-Way Plat No. 21563 South 48° 21' 39" East 1000.50 feet to a pipe set, said point being at the intersection of the aforesaid southerly right-of-way line of I-495 and the 14th line of Lot 4, Liber 485, Folio 116, thence leaving said right-of-way and running with the said 14th line of Lot 4 reversed South 64° 06' 51" West 27.08 feet to a pipe set, said point being at the end of the 13th line of Lot 4, Liber 485, Folio 116, said pipe also being on the most northerly dedication line of Cherry Wood Lane as delineated on a plat of subdivision entitled "Parcels A, B, C & D, SPRINGHILL LAKE INDUSTRIAL" recorded among the aforesaid Land Records of Prince George's County, Maryland, in Plat Book C.E.C. 91 Plat No. 77, thence running with the 13th, 12th and 11th lines reversed of Lot 4 and with the said Northerly dedication lines of Cherry Wood Lane the following three courses and distances North 55° 21' 11" West 891.48 feet to a monument found, thence South 28° 41' 54" West 26.63 feet to a monument found, thence North 55° 12' 48" West 56.96 feet to the place of beginning.

The property herein conveyed contains 83,092 square feet or 1.9075 acres, more or less, in accordance with a survey dated July 15, 1975, prepared by Hoffman and Hubbard, Inc., Engineers and Surveyors, Riverdale, Maryland, and was formerly a portion of the Agricultural Research Center, Beltsville, Maryland, under the administrative jurisdiction of the Department of Agriculture, an agency of the United States Government.

All of the land contiguous and adjoining to the existing City of Greenbelt, Maryland, Prince George's County, described as part of the lands of Greenway Center Associated Limited Partnership and part of the lands of the Baltimore-Washington Parkway, Berwyn District No. 21, Prince George's County, Maryland, being two (2) parcels of land, the first consisting of all of Parcels "A" "C" as shown on a plat of subdivision entitled "Parcels 'A,' 'B' and 'C,' Greenbelt East," as recorded among the Land Records of Prince George's County, Maryland, in Plat Book NLP 102 as Plat No. 70, all of the dedication to widening as shown on said plat, all of Greenway

Center Drive, as shown on said plat, all of the lands described in an Agreement to Dedicate Real Property between Henry M. Witt and Greenway Center Associates Limited Partnership, recorded among the aforesaid Land Records in Liber 5037 at Folio 801, and part of Hanover Parkway, as shown on a plat of street dedication entitled "Plat of Street Dedication, Hanover Parkway," recorded among the aforesaid Land Records in Plat Book WWW 80 as Plat No. 14; the second being part of the right-of-way of the Baltimore-Washington Parkway, being more particularly described in two (2) parts as follows:

*Part One:*

Beginning for the same at a concrete monument found at the end of the South 75° 21' 00" East, 402.70 foot plat line, as shown on the aforesaid plat recorded in Plat Book NLP 102 as Plat No. 70, running thence with the outline of the said plat:

1. North 80° 16' 20" East, 395.08 feet to the northeasterly corner of said plat, said corner being on the town line of the City of Greenbelt; running thence with said line, and continuing with the outline of the said plat, the following four (4) courses:

2. South 06° 08' 20" East, 187.52 feet to a point;

3. South 08° 10' 20" West, 254.49 feet to a point;

4. South 33° 12' 10" West, 224.69 feet to a point; and

5. South 14° 03' 00" West, 311.26 feet to a concrete monument found on the northerly or North 42° 47' 39" East, 912.28 foot right-of-way line of Hanover Parkway, as shown on the aforesaid plat recorded in Plat Book WWW 80 as Plat No. 14, thence crossing said Hanover Parkway and continuing with the town line of the City of Greenbelt;

6. South 83° 20' 40" East, 148.59 feet to a point on the southerly or South 42° 47' 39" West, 1,061.01 foot right-of-way line of Hanover Parkway, as shown on said plat; thence with a part of said line

7. South 42° 47' 39" West, 135.11 feet to a point; thence crossing said Hanover Parkway;

8. North 47° 12' 21" West, 120.00 feet to a point at the beginning of the second or North 02° 12' 13" West, 28.28 foot line described in Schedule "A" of the said Agreement to Dedicate Real Property; thence with the second and third lines of the said Agreement;

9. North 02° 12' 13" West, 28.28 feet to a point; and

10. 47.58 feet along the arc of a curve deflecting to the left, having a radius of 107.32 feet and a chord bearing North 70° 38' 43" West, 47.19 feet to a point of tangency; thence with the outline of said Greenway Center Drive, as shown on said plat recorded in Plat Book NLP 102 as Plat N. 70; the following three (3) courses:

11. North 83° 20' 40" West, 705.81 feet to a point of curvature;
12. 112.78 feet along the arc of a curve deflecting to the left, having a radius [radius] of 380.00 feet and a chord bearing South 88° 09' 12" West, 112.36 feet to a point; and
13. North 06° 39' 20" East, 72.67 feet to a point; thence continuing with said course and reversely with the outline of said Parcel "A," as shown on said plat, the following ten (10) courses:
  14. North 06° 39' 20" East, 33.94 feet to a point;
  15. North 83° 20' 40" West, 95.94 feet to a point;
  16. North 30° 01' 30" West, 145.50 feet to a point;
  17. South 59° 58' 30" West, 81.00 feet to a point;
  18. North 30° 01' 30" West, 258.00 feet to a point;
  19. North 59° 58' 30" East, 83.00 feet to a point;
  20. North 30° 01' 30" West, 298.97 feet to a point;
  21. North 72° 08' 20" East 517.40 feet to a point;
  22. South 88° 07' 00" East, 267.31 feet to a point; and
  23. South 75° 21' 00" East, 402.70 feet to the place of beginning, containing 1,128,432 square feet or 25.9052 acres of land.

*Part Two:*

Beginning for the same at a concrete monument found at the end of the South 75° 21' 00" East, 402.70 foot plat line as shown on the aforesaid plat recorded in Plat Book NLP 102 as Plat No. 70, running thence reversely with the outline of said plat, and with the right-of-way line of Greenbelt Road and the Baltimore Washington Parkway, the following three (3) courses:

1. North 75° 21' 00" West, 402.70 feet to a point;
2. North 88° 07' 00" West, 267.31 feet to a point; and
3. South 72° 08' 20" West, 517.40 feet to a point; thence crossing the said Baltimore–Washington Parkway;
4. North 27° 11' 50" West, 490.01 feet to a point in the existing town line of the City of Greenbelt; said line also being the northerly right-of-way line of the said Baltimore–Washington Parkway; thence with said line,

5. North 62° 48' 10" East, 825.81 feet to a point; thence continuing along the said town line and crossing the Baltimore–Washington Parkway

6. South 38° 42' 30" East, 654.85 feet to a point; thence continuing with said town line and with the said right–of–way line of Greenbelt Road and the Baltimore–Washington Parkway, the following three (3) courses.

7. South 89° 58' 40" East, 598.00 feet to a point;

8. South 71° 02' 50" East, 391.74 feet to a point; and

9. South 80° 16' 20" West, 355.03 feet to the northeasterly corner of said plat, thence reversely along the outline of said plat, and continuing with the said right–of–way line of Greenbelt Road and the Baltimore–Washington Parkway,

10. South 80° 16' 20" West, 395.08 feet to the place of beginning, containing 706,122 square feet or 16.2103 acres of land.

The property herein conveyed contains 1,834.554 square feet or 42,1155 acres, more or less.

#### *1982 Annexation*

There is hereby annexed to the territory of the City of Greenbelt, Maryland, a Municipal Corporation, all of the land contiguous and adjoining to the existing City of Greenbelt, Maryland, Prince George's County, described as follows:

#### DESCRIPTION

ANNEXATION TO THE CITY OF GREENBELT, MARYLAND  
 LANDS OF COAKLEY AND WILLIAMS, INC.  
 (PARCEL "B", GREENBELT EAST),  
 LANDS OF CAMERON BROWN INVESTMENT GROUP,  
 AND PART OF HANOVER PARKWAY,  
 AND  
 LANDS OF CHARLES M. BAKER, ET UX,  
 HENRY M. WITT,  
 AND PART OF HANOVER PARKWAY,  
 AND  
 LANDS OF THE NATIONAL PARK SERVICE (U.S. GOVERNMENT)  
 AND THE MARYLAND STATE HIGHWAY ADMINISTRATION  
 (STATE OF MARYLAND); PRESENTLY A PART OF THE  
 BALTIMORE–WASHINGTON  
 PARKWAY AND CAPITAL BELTWAY (INTERSTATE ROUTE 95).

BERWYN DISTRICT NO. 21  
PRINCE GEORGE'S COUNTY, MARYLAND

...being (1) all of Parcel "B", as shown on a plat of subdivision entitled, "Plat of Correction, Parcels 'A', 'B' and 'C', Greenbelt East", recorded among the land records of Prince George's County, Maryland, in Plat Book NLP 105 at Plat No. 65, (2) the residue of the lands conveyed by Dennis H. Sullivan, substitute Trustee, to Cameron Brown Investment Group, by deed dated May 23, 1975, and recorded among the aforesaid land records in Liber 4492 at Folio 660, and (3) part of Hanover Parkway, as shown on a plat of subdivision entitled, "Plat of Street Dedication, Hanover Parkway", recorded among the aforesaid land records in Plat Book WWW 80 at Plat No. 14, and being more particularly described as follows:

BEGINNING for the same at the northeasterly corner of the aforesaid Parcel "B", and running thence with the northeasterly outline of said Parcel "B", the following seven (7) courses:

1. South 30° 01' 30" East, 298.97 feet to a point;
2. South 59° 58' 30" West, 83.00 feet to a point;
3. South 30° 01' 30" East, 258.00 feet to a point;
4. North 59° 58' 30" East, 81.00 feet to a point;
5. South 30° 01' 30" East, 145.50 feet to a point;
6. South 83° 20' 40" East, 95.94 feet to a point; and
7. South 06° 39' 20" West, 106.61 feet to the westerly end of the southerly or 112.78 foot curved right of way line of Greenway Center Drive, seventy (70) feet wide, as shown on said plat of Greenbelt East; thence with said southerly right of way line
8. 112.78 feet along the arc of a curve, deflecting to the right, having a radius of 380.00 feet and a chord bearing North 88° 09' 12" East, 112.36 feet to a point of tangency; and
9. South 83° 20' 40" East, 106.20 feet to the northerly end of the 6th or South 19° 47' 06" West, 111.26 foot line of Parcel I, Tract 5 of the aforesaid conveyance, recorded in Liber 4492 at Folio 660; thence with said line, and with the 6th, 7th, 1st and 2nd lines of Parcel II, Tract 5, of said last mentioned conveyance, the following six (6) courses
10. South 19° 47' 06" West, 111.26 feet to a point of curvature;
11. 122.21 feet along the arc of a curve, deflecting to the left, having a radius of 588.46 feet and a chord bearing South 13° 50' 08" West, 121.99 feet to a point;
12. South 86° 59' 00" East, 101.06 feet to a point;

13. South 30° 06' 00" East, 619.22 feet to a point;
14. North 82° 43' 50" West, 58.76 feet to a point; and
15. South 71° 01' 30" West, 461.50 feet to the northerly end of the 4th or South 71° 01' 30" West, 75.98 foot line of Tract 6, of said last mentioned conveyance; thence with said line and with the 5th and 6th lines of said Tract 6
16. South 71° 01' 30" West, 75.98 feet to a point;
17. South 71° 53' 00" West, 625.99 feet to a point; and thence with the old city line
18. North 86° 02' 46" West, 216.17 feet to a point on the northerly right of way line of the Capital Beltway (Interstate Route 95), as shown on State Roads Commission of Maryland Right of Way Plats No. 26704, 26705 and 26706; thence with said northerly right of way line the following five (5) courses
19. 335.27 feet along the arc of a curve, deflecting to the right having a radius of 11309.16 feet and a chord bearing North 35° 33' 12" West, 335.26 feet to a point;
20. 358.99 feet along the arc of a curve, deflecting to the right, having a radius of 725.00 feet and a chord bearing North 09° 14' 23" West, 355.34 feet to a point of tangency;
21. North 04° 56' 44" East, 387.74 feet to a point of curvature;
22. 557.57 feet along the arc of a curve, deflecting to the right, having a radius of 975.00 feet and a chord bearing North 21° 19' 42" East, 550.00 feet to a point; and
23. North 44° 11' 00" East, 125.48 feet to the northwesterly corner of said Parcel "B"; thence with the northerly outline of said Parcel "B", following three (3) courses:
24. North 44° 11' 00" East, 130.00 feet to a point;
25. North 56° 53' 40" East, 250.27 feet to a point; and
26. North 72° 08' 20" East, 13.48 feet to the place of beginning, containing 41.4479 acres of land.

....being (1) part of the lands conveyed by John H. Walker and wife, Nettie F. Walker, to Charles M. Baker and wife, Mary Lee Baker, by deed dated November 25, 1942, recorded among the Land Records of Prince George's County, Maryland, in Liber 687 at Folio 191, (2) all of the lands conveyed by Frankfort Drive Construction Company, Inc., to Charles M. Baker and Mary Lee Baker, his wife, by deed dated April 18, 1961, and recorded among the aforesaid land records in Liber 2654 at Folio 3. (3) part of the lands conveyed by John E. Willson, Trustee, and Central National Bank of Maryland, to Henry M. Witt, by deed dated November 29, 1968, and recorded



among the aforesaid land records in Liber 3688 at Folio 99, (4) part of the lands conveyed by John H. Walker and Nettie F. Walker, his wife, to Henry M. Witt, by deed dated November 8, 1968, and recorded among the aforesaid Land Records in Liber 3658 at Folio 558, and (5) part of Hanover Parkway, as shown on a plat of subdivision entitled, "Plat of Street Dedication, Hanover Parkway", recorded among the aforesaid land records in Plat Book WWW 80 at Plat No. 14, and being more particularly described as follows:

BEGINNING for the same at a point on the easterly or South 42° 47' 39" West, 1061.01 foot line of Hanover Parkway, as shown on the aforesaid plat, distant 582.72 feet northerly of the southerly end thereof, said point also being on the 2nd or North 79° 45' West, 1111.68 foot line of the aforesaid conveyance recorded in Liber 3658 at Folio 558; thence reversely with a part of said 2nd line and reversely with the 1st, 4th and a part of the 3rd lines of said conveyance, said 2nd and 1st lines being the old city line.

1. South 83° 20' 40" East, 177.88 feet to a point;
2. South 06° 31' 10" West, 725.26 feet to a point;
3. North 82° 43' 50" West, 575.32 feet to a point; and
4. North 30° 06' 00" West, 619.22 feet, crossing said Hanover Parkway, to a point on the southerly outline of the aforesaid lands of Charles M. Baker et ux; thence with the outline of the said lands of Charles M. Baker,
5. North 86° 59' 00" West, 101.06 feet to a point;
6. 122.21 feet along the arc of a curve, deflecting to the right, having a radius of 588.46 feet and a chord bearing North 13° 50' 08" East, 121.99 feet to a point of tangency; and
7. North 19° 47' 06" East, 111.26 feet to a point on the southerly or North 83° 20' 40" West, 784.18 foot right of way line of Greenway Center Drive, seventy (70) feet wide, as shown on a plat of subdivision entitled, "Plat of Correction, Parcels 'A', 'B' and 'C', Greenbelt East", recorded among the aforesaid land records in Plat Book NLP 105 at Plat No. 65; thence with said southerly right of way line,
8. South 83° 20' 40" East, 599.61 feet to a point of curvature;
9. 47.58 feet along the arc of a curve, deflecting to the right, having a radius of 107.32 feet and a chord bearing South 70° 38' 43" East, 47.19 feet to a point; and
10. South 02° 12' 13" East, 28.28 feet to a point on the westerly right of way line of said Hanover Parkway; thence crossing said Hanover Parkway,
11. South 47° 12' 21" East, 120.00 feet to a point on the said easterly right of way line of Hanover Parkway; thence with part of said line,

12. North  $42^{\circ} 47' 39''$  East, 135.11 feet to the place of beginning, containing 13.6993 acres of land.

....being part of the land as shown on State Highway Administration Plats 20481 and 47914, 26704, 26705, 26706, 13581 and part of the land shown on National Park Service Plat #AOV-WBP-4 and lying south of Greenbelt Road, Md. Route 193, and contiguous with part of "Parcel B", as shown on a plat of Subdivision entitled "Plat of Correction, Parcels 'A', 'B' and 'C', Greenbelt East", recorded among the Land Records of Prince George's County, Maryland in Plat Book NLP 105 at Plat No. 65 and being more particularly described as follows:

Beginning at the northerly corner of "Parcel B", being the beginning of the  $S 30^{\circ} 01' 30''$  East 298.97 foot line as shown on the above referenced Plat of Subdivision, said point also being a common westerly corner of Part 1 and Part 2 of lands annexed by Charter Amendment Resolution Number 1979-2, Resolution Number 418, running thence with the outline of the said Parcel B, the following three (3) courses

1. South  $72^{\circ} 08' 20''$  West, 13.48 feet to a point, thence
2. South  $56^{\circ} 53' 40''$  West, 250.27 feet to a point, thence
3. South  $44^{\circ} 11' 00''$  West, 130.00 feet to the most westerly corner Parcel B, thence leaving the outline of Parcel B, and with the line of Cameron-Brown Investment Group, the following five (5) courses,
  4. South  $44^{\circ} 11' 00''$  West, 125.48 feet, to a point of curvature; thence
  5. 557.57 feet along the arc of a curve deflecting to the left having a radius of 975.00 feet and a chord bearing South  $21^{\circ} 19' 42''$  West 550.00 feet to a point of tangency; thence
  6. South  $04^{\circ} 56' 44''$  West, 387.74 feet to a point of curvature; thence
  7. 358.99 feet along the arc of a curve deflecting to the left, having a radius of 725.00 feet and a chord bearing South  $09^{\circ} 14' 23''$  East, 355.34 feet to a point of compound curvature; thence
  8. 335.27 feet on the arc of a curve deflecting to the left having a radius of 11,309.16 feet and a chord bearing South  $35^{\circ} 33' 12''$  East, 335.26 feet to a point on the existing City of Greenbelt line, thence leaving the line of Cameron-Brown Investment Group, and with the line of the existing City Boundary (old City Line), and through the lands of the National Park Service and the Maryland State Highway Administration, the following five (5) courses:
    9. North  $85^{\circ} 33' 40''$  West, 339.64 feet to a point, thence
    10. North  $07^{\circ} 04' 30''$  West, 711.53 feet to a point, thence
    11. North  $03^{\circ} 03' 40''$  West, 500.22 feet to a point, thence

12. North 24° 41' 10" West, 448.83 feet to a point, thence

13. North 36° 06' 20" West 307.56 feet to a point, thence leaving the present City of Greenbelt Boundary (old City Line) and with the Right of Way Line of Through Highway, as shown on Maryland State Highway Administration Plat # 13581, 20762 and 20736 and with the lands of Eliner M. Seger (Jones) as recorded among the Land Records of Prince George's County, Maryland in Liber 1929, Folio 150, the following four (4) courses:

14. South 82° 41' 19" East, 199.81 feet to a point of curvature, thence

15. 259.22 feet along the arc of a curve to the left having a radius of 746.99 feet and a chord bearing North 87° 22' 12" East, 257.92 feet to a point of tangency, thence

16. North 48° 22' 45" East, 169.40 feet to a concrete monument found thence,

17. North 22° 07' 35" East 123.81 feet to a point on the Old City of Greenbelt Line thence with the present City of Greenbelt Boundary (Old City Line)

18. North 62° 48' 10" East, 394.20 feet to a point being the most westerly corner of Part 2, as shown on an unrecorded annexation plat prepared by Ben Dyer Associates, said point being the end of the fourth (4th) or North 27° 11' 50" West, 490.01 foot line of Part Two as previously annexed by the aforementioned Charter Amendment Resolution Number 1979-2 thence reversely with the said fourth (4th) line of Part Two,

19. South 27° 11' 50" East 490.01 feet to the point of beginning containing 837,744.96 square feet or 19.2320 acres of land

The total property being annexed herein is 74.3792 acres of land as shown on a Plat of Annexation titled PARCEL "B" – GREENBELT EAST and part of HANOVER PARKWAY and the lands of CAMERON-BROWN INVESTMENT GROUP; CHARLES M. BAKER, ET UX; HENRY M. WITT; and part of the lands of NATIONAL PARK SERVICE AND THE MD. STATE HIGHWAY ADMINISTRATION, prepared by John D. Emler & Associates, P.A., dated January, 1982.

*First 1984 Annexation.*

That there is hereby annexed to the territory of the City of Greenbelt, a municipal corporation of the State of Maryland, all of the property as described in Plat of Annexation prepared by John D. Emler & Associates, dated March 1984, and as more fully described herein; all of this property being bounded on all sides by real property presently within the corporate limits of the City of Greenbelt, Maryland, Prince George's County.

DESCRIPTION

ANNEXATION TO THE CITY OF GREENBELT

LANDS OF ELINOR M. SEGER  
AND  
THE HOLY CROSS LUTHERAN CHURCH  
ADJACENT TO THE BALTIMORE–WASHINGTON PARKWAY AND  
CAPITAL BELTWAY (INTERSTATE 95)  
BERWYN DISTRICT #21  
PRINCE GEORGE’S COUNTY, MARYLAND

... being part of the land conveyed to Elinor M. Seger by Liber 1929, Folio 150 and part of the land conveyed to Holy Cross Lutheran Church by deed recorded in Liber 5205, Folio 555 among the Land Records of Prince George’s County, Maryland. and shown in part on a plat recorded among the Plat Records of Prince George’s County, Maryland, Plat Book 68, Plat 60 entitled “Parcel A Holy Cross Lutheran Church Property”. These two properties are the remaining area not previously annexed by the City of Greenbelt as shown on an Annexation Plat prepared by John D. Emler & Associates, P.A., dated January 1982, and are entirely enclosed by the present City boundaries.

Beginning at a concrete monument found on the northwesterly side of the Baltimore Washington Parkway, said monument being in a thirty foot right of way and also being a point on the present City of Greenbelt Boundary Line; being the end of the South 62° 46’ 50” West 1255.77 foot line as shown in the Greenbelt City Charter, Section 2(d) Fourth and continuing thence with the present City line the following six courses and distances

- 1.) North 76° 46’ 50” West 993.67 feet to a concrete monument; thence
- 2.) South 53° 20’ 00” East 158.82 feet to a concrete monument; thence
- 3.) South 68° 02’ 40” East 82.32 feet to a concrete monument; thence
- 4.) South 76° 01’ 40” East 134.92 feet to a concrete monument; thence
- 5.) South 08° 50’ 40” East 269.69 feet to a concrete monument; thence

6.) South 36° 06’ 20” East 2.58 feet to a point on the northerly Right of Way Line of Through Highway as shown on Maryland State Highway Administration Plat #20481, thence with the northerly line of said right of way and with the line of annexation as shown on a Annexation Plat prepared by John D. Emler & Associates, P.A., and dated January 1982, and with the description for this annexation in Charter Amendment Resolution 1982–1, Resolution Number 508, dated April 29, 1982, the following four courses and distances,

- 7.) South 82° 41’ 19” East 199.81 feet to point of curvature; thence
- 8.) 259.22 feet along the arc of a curve to the left having a radius of 746.99 feet and a chord bearing North 87° 22’ 12” East, 257.92 feet to a point of tangency, thence
- 9.) North 48° 22’ 45” East 169.40 feet to a concrete monument; thence

10.) North 22° 07' 45" East 123.81 feet to a point on the City of Greenbelt Line as shown in the City of Greenbelt Charter, Section 2(d) Fourth and with the Old City of Greenbelt Line and with the northerly right of way line of the Baltimore Washington Parkway

11.) South 62° 46' 50" West 36.12 feet to the point of beginning, containing a computer area of 4.35 acres of land. The property being annexed is shown on a Plat of Annexation entitled "Property of Elinor M. Seger and Holy Cross Lutheran Church", prepared by John D. Emler & Associates, P.A., dated March 1984.

*Second 1984 Annexation.*

That there is hereby annexed to the territory of the City of Greenbelt, Maryland, a municipal corporation of the State of Maryland, all of the land contiguous and adjoining to the existing City of Greenbelt, Maryland, Prince George's County, described as follows:

DESCRIPTION

ANNEXATION TO THE CITY OF GREENBELT

LANDS OF HUNTING RIDGE CONDOMINIUM; HAROLD S. TIDLER, ET AL; THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION; TRINITY ASSEMBLY OF GOD, INC.; TRINITY CHURCH OF GOD, INC.; MICHAEL S. STEINER; JAMES H. SHIMMEL; MAGNOLIA FARMS PROPERTY PARTNERSHIP; HUNTING RIDGE LIMITED PARTNERSHIP; GOOD LUCK PARTNERSHIP; JOHN BEDNARIK; OVERLOOK FARMS LIMITED PARTNERSHIP #1; CAMERON BROWN INVESTMENT GROUP; POTOMAC ELECTRIC POWER COMPANY; PRINCE GEORGE'S COUNTY; AND DEDICATED RIGHTS-OF-WAYS OF HANOVER PARKWAY, HANOVER DRIVE, AND SPACE COURT

BERWYN DISTRICT 21

PRINCE GEORGE'S COUNTY, MARYLAND

... being all of land shown on a plat of Subdivision entitled Parcel "A" Glendale - NASA; recorded in Plat Book 61, Plat 86; part of the land shown on a Plat of Subdivision entitled Parcel "A" Schrom Village Apartments, recorded in Plat Book WWW-57, Plat 21; part of the land shown on a Plat of Subdivision entitled Parcels "B" and "C" and Outlot "A", Goddard Space Village Section II recorded in Plat Book WWW-78, Plat 77, each plat recorded among the Land Records of Prince George's County, Maryland; said land of annexation adjoins a part of the existing City of Greenbelt Boundary, a part of the easterly right of way line of the Capital Beltway and a part of the northerly right of way line of Good Luck Road and is more particularly described as follows:

Beginning at a monument found, marking the Northwesterly corner of Parcel "A", Glendale-NASA being the beginning of the N 71° 53' 00" East 625.99 foot line as shown on the referenced Plat of Subdivision, said point being also a common corner to Parcel "B", Maryland

Trade Center Park, and also a common corner to a triangular tract of land of the U.S. Government, National Park Service, said point being a southerly corner of the lands annexed by the City of Greenbelt Charter Amendment 1982-1, Resolution Number 507 effective April 29, 1982; running thence with the outline of Parcel "A", Glendale-NASA, and with the present City of Greenbelt Boundary.

1. North 71° 53' 00" East, 625.99 feet to a point; on the Northerly dedication line of Hanover Drive, thence with the northerly dedication line of Hanover Drive

2. North 71° 01' 30" East, 537.48 feet to a point in Hanover Parkway, thence with the line of Harold S. Tidler, the following twelve courses and distances

3. South 82° 43' 50" East 634.08 feet to a monument marking the southerly common corner of Henry M. Witt and Frank M. Ewing, thence continuing with the line of Harold S. Tidler

4. South 76° 13' 20" East 746.16 feet to a point, thence

5. North 15° 51' 50" East 71.74 feet to a point, thence

6. South 83° 46' 50" East 78.73 feet to a point, thence

7. North 49° 32' 00" East 1,427.32 feet to a point, thence

8. South 60° 40' 40" East 230.63 feet to a point, thence

9. South 12° 59' 20" West 428.72 feet to a point, thence

10. South 30° 07' 10" East 231.83 feet to a point, on the dedication line of Ora Glen Drive, thence with the southerly line of dedication of Ora Glen Drive, and with the line of Harold S. Tidler

11. South 62° 50' 50" East 362.67 feet to a point, thence leaving the dedication line of Ora Glen Drive, and with the southerly line of Parcel "B", Glen Ora Gardens, an [and] also with the present City Line

12. South 20° 55' 30" East 428.55 feet to a point, thence with the southerly line of Parcel "B", the southerly dedication line of Mandan Road an [and] with the Frank M. Ewing line,

13. South 62° 53' 50" East 1,204.79 to a point, thence with Frank M. Ewing and thru the lands of Potomac Electric Power Company and with the present City Line

14. South 00° 48' 40" East 163.86 feet to a point on the southeasterly line of a 75' wide Potomac Electric Power Company tract of land, thence leaving the existing City Boundary and with the southeasterly line of the Potomac Electric Power Company, the following four courses and distances

15. South  $76^{\circ} 57' 59''$  West, 518.24 feet to a point, thence

16. South  $12^{\circ} 38' 33''$  East, 200.90 feet to a point, thence

17. South  $63^{\circ} 24' 18''$  West 736.68 feet to a point, thence

18. South  $01^{\circ} 55' 30''$  East 1,460.56 to a point on the Northerly right of way line of Good Luck Road; thence leaving the line of the Potomac Electric Power Company and with the northerly right of way line of Good Luck Road as shown on Prince George's County R/W Plat #663, dated April 1, 1964, the following seven courses and distances

19. South  $77^{\circ} 54' 42''$  West, 1,112.08 feet to a point, thence

20. South  $85^{\circ} 20' 35''$  West 23.19 feet to a point, thence

21. South  $80^{\circ} 00' 24''$  West 50.70 feet to a point, thence

22. South  $74^{\circ} 19' 38''$  West 50.02 feet to a point of curvature, thence

23. 25.99 feet on the arc of a curve to the left, whose chord bearing and distance are South  $73^{\circ} 10' 42''$  West, 25.99 feet to a point marking the northeasterly end of right of way of Good Luck Road, Sta. 29 as shown on State Highway Administration Plat #13586, thence with the northerly right of way line of Good Luck road as shown on Plat 13586, the following two courses distances

24. North  $17^{\circ} 34' 18''$  West, 17.48 feet to a point of curvature, thence

25. 108.84 feet on the arc of a curve to the left, whose chord bearing and distance are South  $66^{\circ} 38' 41''$  West 108.69 feet, to a point marking the southeasterly corner of the Lanham Boys Club, then leaving the line of Good Luck Road and with the line of the Lanham Boys Club the following five courses and distances

26. North  $34^{\circ} 37' 21''$  West, 280.82 feet to a point, thence

27. North  $54^{\circ} 39' 34''$  West, 273.61 feet to a point, thence

28. North  $16^{\circ} 33' 39''$  West, 139.18 feet to a point, thence

29. South  $76^{\circ} 15' 45''$  West, 25.36 feet to a point, thence

30. South  $61^{\circ} 34' 38''$  West, 567.76 feet to a point on the easterly right of way line of the Capital Beltway as shown on SHA Right of Way Plats #13586 and 13585, thence with the easterly right of way line of the Capital Beltway the following two courses and distances

31. North  $34^{\circ} 14' 50''$  West 1533.45 to a point of curvature, thence

32. 239.44 feet on an arc of a curve to the left, whose chord bearing and distance are North 34° 50' 17" West, 239.44 to a point, thence leaving the right of way line of the Capital Beltway and thru and with Parcel B, Goddard Space Village the following six courses and distances

33. North 52° 19' 50" East 53.51 feet to a point, thence

34. North 02° 04' 00" East 287.92 feet, to a point of curvature, thence

35. 32.52 feet on the arc of a curve to the right, whose chord bearing and distance are North 28° 44' 55" East, 31.36 feet to a point of tangency, thence

36. North 55° 25' 50" East, 35.50 feet to a point, thence

37. North 34° 34' 10" West, 47.11 feet to a point, thence

38. North 55° 25' 50" East, 308.62 feet to a point on the line of Parcel A Schrom Village Apartments, thence with the line of Parcel A Schrom Village Apartments and with the line of Hunting Ridge Limited Partnership, the following two courses and distances,

39. North 37° 39' 20" West, 233.00 feet to a point, thence

40. North 06° 04' 10" West, 606.59 feet to a point, thence leaving the line of Hunting Ridge Limited Partnership, and with the westerly dedication line of Hanover Parkway, (80' wide), the following two courses and distances

41. North 30° 01' 30" West, 90.00 feet to a point of curvature, thence

42. 414.78 feet on the arc of a curve to the right, whose chord bearing and distance are North 13° 58' 04" West, 489.37 feet to a point, thence leaving the westerly dedication line of Hanover Parkway, and with the lines of Parcel B. Goddard Space Village, the following six courses and distances

43. South 48° 45' 10" West, 362.70 feet to a point, thence

44. South 21° 55' 00" East, 324.93 feet to a point, thence

45. South 24° 00' 40" West, 234.79 feet to a point of curvature, thence

46. 136.15 feet on an arc of a curve to the left, whose chord bearing and distances are South 00° 01' 20" West, 132.20 feet to a point of tangency, thence

47. South 40° 32' 55" West 360.44 feet to a point on the easterly right of way line of the Capital [Capital] Beltway, as shown on SHA R/W Plats #13584 and #13585, thence with the easterly right of way line of the Capital Beltway, the following six courses and distances

48. North 39° 14' 50" West, 48.92 feet to a point, thence



- 49. North 50° 45' 10" East, 16.00 feet to a point, thence
- 50. North 39° 14' 50" West, 73.00 feet to a point, thence
- 51. South 50° 45' 10" West, 16.00 feet to a point, thence
- 52. North 39° 14' 50" West, 565.07 feet to a point of curvature, thence

53. 258.41 feet on the arc of a curve to the left, whose chord bearing and distances are North 39° 54' 07" West, 258.40 feet to a point, thence leaving the R/W line of the Capital Beltway, and with the line of the National Park Service,

- 54. North 08° 18' 40" East 228.42 feet to the point of beginning

The property being annexed here is 273.90 acres of land as shown on a Plat of Annexation entitled "Lands of Hunting Ridge Condominium, Harold S. Tidler, et al, The Maryland National Capital Park & Planning Commission, Trinity Assembly of God, Inc., Trinity Church of God, Inc., Michael S. Steiner, James H. Shimmel, Magnolia Farms Property Partnership, Hunting Ridge Limited Partnership, Good Luck Partnership, John Bednarik, Overlook Farms Limited Partnership #1, Cameron Brown Investment Group, Potomac Electric Power Company, Prince George's County, and dedicated rights of ways of Hanover Parkway, Hanover Drive and Space Court; prepared by John D. Emler & Associates, P.A., dated August, 1984. (1937, ch. 532, § 2; 1939, ch. 632, § 2; 1949, ch. 583; Reso. No. 3, 2-19-62; Char. Am. Reso. No. 1973-1, § 1, 12-4-72; Char. Am. Reso. No. 1976-1, § 1, 2-2-76; Char. Am. Reso. No. 1979-2, § 1, 5-21-79; Char. Am. Reso. No. 1980-1, § 1, 9-25-80; Char. Am. Reso. No. 1982-1, § 1, 4-29-82; Char. Am. Reso. No. 1984-1, § 1, 6-28-84; Char. Am. Reso. No. 1984-2, § 1, 11-29-74; Char. Am. Reso. 1992-1 § 1, 11-13-92; Char. Am. Reso. No. 2005-2, § 1, 1-12-06; Char. Am. Reso. No. 2005-3, § 1, 1-26-2006.)

## Powers

### Section 3. General powers.

1. To levy, assess and collect taxes and to borrow money within the limits provided by this Charter; to levy and collect special assessments for benefits conferred; and to receive payments in lieu of taxes, and to account for, expend, and otherwise treat such payments in the manner provided by law in connection with taxation; to appropriate municipal funds for any public purpose within the powers of the city council; to have general management and control of the finances of the city; to provide that any valid charges, taxes, or assessments made against any real property within the city shall be liens upon the property, to be collected as municipal taxes are collected.

2. To furnish any or all public services; to own or dispose of stock in, purchase, hire, construct, own, maintain and operate or lease public utilities or public utility services; to sell, lease or otherwise dispose of public utilities or public utility services; to acquire by purchase, lease,

condemnation or otherwise, real, personal, or mixed property necessary for any such purpose; subject to restrictions imposed by laws of the State of Maryland; and to grant local public utility franchises, including but not limited to franchises to operate community antenna or cable television systems, which may be deemed advantageous and beneficial to the city.

3. To make and maintain public improvements and to acquire real, personal, or mixed property by conveyance, purchase, lease, condemnation, gift, grant, bequest, devise, or otherwise, necessary for such improvements; and also to acquire an excess over that needed for any such improvement; and to sell, lease, or otherwise dispose of such excess property with such restrictions as the council may determine.

4. To provide, maintain and operate such community and social services for the preservation and promotion of health, recreation, welfare, and enlightenment of the inhabitants of the City of Greenbelt, Maryland, as the council may determine.

5. To adopt by ordinance and enforce within the corporate limits police, health, sanitary, fire, traffic, parking, and other similar regulations not in conflict with the laws of the State of Maryland; to prohibit, suppress and punish within the city all vice, gambling, and games of chance; prostitution and solicitation 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 prohibit the youth of the city from being in the streets, lanes, alleys, or public places at unreasonable hours of the night; 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 similar things which may endanger persons or property; to establish, operate and maintain a police force, a police station house and a lock-up for temporary confinement of violators of the laws and ordinances of the city or to use the county jail for such purposes; to protect and preserve the health of the city 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 city; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; but nothing herein shall be construed to affect in any manner any of the powers and duties of the state board of health, the county board of health, or any public general or local law relating to the subject of health; to prevent or abate by appropriate ordinances all nuisances in the city which are so defined as common law, by this Charter, or by the laws of the State of Maryland, whether they be herein specifically named or not; to regulate, to prohibit, to control the location of, or to require the removal from the city 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; to inspect and to require the condemnation of, if unwholesome, and to regulate the sale of any food product; 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 wastes or unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal; to regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, tires, garbage, paper, handbills, branches, dirty liquids, or other unwholesome materials into any public way or private property in the city; to regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries; 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 city; 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 city fire-hazard regulations are met; and to take all other measures necessary to control and prevent fires in the city; 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; to license and regulate and to establish, obtain by purchase, by lease, own, construct, operate, and maintain parking lots and other facilities [facilities] for off-street parking; to install parking meters on the streets and other public places of the city in such places as by ordinance is determined, and by ordinance to prescribe rates and provisions for the use thereof; but the installation of parking meters on any street or road maintained by the State Roads Commission of Maryland must first be approved by the commission; to license, tax, and regulate public hackmen, taxicab men, draymen, drivers, cabmen, porters and expressmen, and all other persons pursuing like occupations; to regulate and license wagons, bicycles and other vehicles not subject to the licensing powers of the State of Maryland; to regulate the numbering of houses and lots and to compel owners to renumber them, or in default thereof to authorize and require the work to be done by the city at the owner's expense, such expense to constitute a lien upon the property collectible as tax moneys; to regulate the use of sidewalks and all structures in, under, or above them; to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow, ice, or other obstructions; to prescribe hours for cleaning sidewalks; to regulate or prohibit unreasonable ringing of bells, crying of goods, or sounding of whistles and horns; to license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the city, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole, or other place within the city; to make reasonable regulations in regard to buildings to be erected, constructed, or reconstructed in the city, 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 reasonable charges for permits and inspections; to authorize and 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 or structures be made safe or taken down; to require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license. This listing is by way of enumeration, not limitation.

6. To have control over all the public roads, streets, alleys, and sidewalks within the corporate limits of the City of Greenbelt and to provide for repairing, grading, cleaning, mending, and perfecting the same; to remove all nuisances and obstructions from roads, streets, alleys, sidewalks, and from any lots adjoining thereto, and to compel owners to remove all nuisances and obstructions from such lots, or in default thereof to authorize the work to be done by the city at the owner's expense, such expense to constitute a lien upon the property collectible as tax moneys. To open, close, and alter public roads, streets, alleys and walks with the same powers and subject to the same limitations as are or may be granted to or imposed upon the Board of County Commissioners of Prince George's County.

7. To have control over parks, recreation areas and facilities and other public property, to establish public parks, gardens, playgrounds and other recreational facilities and programs to

promote the health, welfare and enjoyment of the inhabitants of the city, and to provide for extending, improving, maintaining and operating the same.

8. Subject to any restrictions imposed by the laws of the State of Maryland, to license and regulate all persons beginning or conducting transient or permanent business in the city 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 regulate the sale of all kinds of property at auction within the city and to license auctioneers; 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 city, and to revoke such licenses for any action or threat of action by such a licensee in the course of his occupation which causes or threatens harm or injury to inhabitants of the city or to their welfare or happiness; to establish and collect fees and charges for all licenses and permits issued under the authority of this charter.

9. To enact ordinances and make regulations not in conflict with the existing laws of the State of Maryland, and to provide for fines and imprisonments in the county jail, or both, for the violation of such ordinances or regulations. No fine shall exceed five hundred dollars (\$500) nor shall any imprisonment exceed ninety (90) days, for any single offense. To provide that the violation of an ordinance may be declared a municipal infraction, a civil offense, instead of a misdemeanor, and to provide for fines for the violation of such ordinances or regulations, as authorized by the laws of the State of Maryland.

10. To enact Zoning Ordinances not in conflict with the existing law of the State of Maryland, for the purpose of insuring the orderly growth of the city and the protection of the public health, welfare, safety and morals. To regulate the location, erection, or repair of buildings in accordance with the public health, welfare and safety and to provide by ordinance for the granting of permits with respect to the location, erection, or repair of buildings.

11. To acquire by conveyance, purchase, condemnation or otherwise real, personal, or mixed property needed for any public purpose, in fee simple, lease or leasehold interest or estate or any other interest or estate; to erect buildings and structures thereon for the benefit of the city and its inhabitants; and to own, hold, manage or control, and to sell, lease, exchange, transfer, assign, mortgage, pledge, or dispose of any such real, personal, or mixed property or any interest therein as the interest of the city may require; to take by gift, grant, bequest, or devise and to hold real, personal or mixed property absolutely or in trust for parks or gardens, or for the erection of statutes [statues], monuments, buildings or structures, or for any public use upon such terms and conditions as may be prescribed by the grantor or donor, and accepted by the city; to provide for the proper administration of the same; and to convey the same when the city council determines that it is no longer needed for public purposes, subject to the terms and conditions of the original grant. Any activity, project, or improvement authorized by the provisions of this Charter or any state law applicable to the city is a public purpose. The manner of procedure in case of any condemnation proceeding shall be that established in Article 33A of the Annotated Code of the Public General Laws of Maryland (1957 Edition, as amended) title "Eminent Domain."

12. To provide, operate and maintain transportation facilities between the City of Greenbelt, in the State of Maryland, and the City of Washington, in the District of Columbia, and

to collect fares for such transportation. To sell or lease all or any portion of such transportation facilities. To do any and all acts necessary or incidental to fully exercise the power stated in this subsection. The exercise of this power shall be subject to the regulation of the Public Service Commission of the State of Maryland.

13. To have and exercise any and all powers that are now given to municipalities, except the City of Baltimore, or that may be given to them by the general law of the State of Maryland or that are or may be given to municipalities in Prince George's County by the local law of the State of Maryland, including those powers enumerated in Article 23B, the Municipal Corporation Charter Act of the Annotated Code of Maryland.

14. To regulate and prohibit the running at large of dogs, cats, horses, fowl, sheep, goats, cattle, or other animals; to authorize the impounding, keeping, sale, and redemption of such animals when found in violation of the ordinance in such case provided; to provide for the licensing of such animals; to provide for the disposition of homeless animals and of animals on which no license fee has been paid for any term prescribed by ordinance.

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

16. To make agreements with other municipalities, counties, districts, bureaus, commissions, states, and federal authorities for the joint performance of or for cooperation in the performance of any governmental function.

17. To provide for advertising for the purposes of the city, for printing and publishing statements as to the receipts and expenditures of the city, and the publication and the codification of all laws, ordinances, resolutions, or regulations adopted by or affecting the city.

18. To compel persons about to undertake dangerous improvements to execute bonds with sufficient securities conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

19. 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 funds for any lawful purpose, agreeable to the conditions under which the gifts or grants were made.

20. To purchase, lease, borrow, install, and maintain voting machines for use in the city elections.

21. To create a nonprofit corporation to hold title to and administer a housing for the elderly project.

22. To recognize and engage in collective bargaining with one or more designated bargaining representatives of non-managerial, sworn police officers of the City of Greenbelt, Maryland, Police Department; to enter into a binding collective bargaining agreement with said representatives; and to enact by ordinance or amendment a system of rules and regulations to govern this process. The City Council shall approve all collective bargaining agreements entered into by the City with a collective bargaining representative prior to their becoming effective. In the event the parties negotiating a collective bargaining agreement are unable to reach agreement on one or more terms of a collective bargaining agreement, the City Council shall have the authority to set those terms and conditions of employment that remain in dispute upon a majority vote. (1937, ch. 532, § 3; Reso. No. 34, 1961; Char. Am. Reso. No. 131, 10-31-67; Char. Am. Reso. No. 1973-6, § 1, 11-19-73; Char. Am. Reso. No. 1977-2, § 1, 2-28-77; Char. Am. Reso. No. 1983-1, 11-22-83; Char. Am. Reso. No. 2005-4, § 4, 1-31-06.)

## The Council

### Section 4. Creation; qualifications; compensation.

(a) Except as otherwise provided in this Charter, all powers of the city shall be vested in a council of five (5) members prior to November 9, 2009 and a council of seven (7) members beginning November 9, 2009 nominated and elected from the city at large in the manner hereinafter provided. The term of each member of council shall be for two (2) years and until his or her successor shall have qualified, and shall begin on the first Monday following the regular council election or run-off election.

(b) Effective with the council elected as a result of the November 6, 2007, election, the mayor shall receive a salary of twelve thousand dollars (\$12,000.00) per annum and the other members of council each shall receive a salary of ten thousand dollars (\$10,000) per annum, payable in twenty-six (26) biweekly payments. No ordinance amending the Charter with respect to fixing or changing the salary of members of council shall become effective during the current term of members of council enacting such ordinance. (1937, ch. 532, § 4; 1941, ch. 595; Reso. No. 8-31-59; Reso. No. 38, 8-19-63; Char. Am. Reso. No. 124, 8-16-67; Char. Am. Reso. No. 1973-3, § 1, 6-11-73; Char. Am. Reso. No. 1975-4, § 1, 4-7-75; Char. Am. Reso. No. 1977-4, § 1, 7-11-77; Char. Am. Reso. No. 1981-3, § 1, 9-21-81; Char. Am. Reso. No. 1985-3, 9-3-85; Char. Am. Reso. No. 1986-2, 11-26-86; Char. Am. Reso. No. 1989-1, § 1, 10-31-89; Res. No. 2007-3, 11-13-07; Char. Am. Reso. No. 2009-2, § 2, 8-11-09.)

### Section 5. Meetings.

At 7:30 o'clock p.m. on the first Monday following a regular municipal election, the council shall meet at the usual place for holding its meetings and the newly elected members shall assume the duties of office, but if any meeting is held before such day and after the election, the newly elected council shall assume the duties of office at such meeting. Thereafter the council shall meet at such time as may be prescribed by ordinance or resolution, but not less frequently than once each month. Special meetings shall be called by the clerk upon the written request of the mayor, the city manager, or four (4) members of council; or upon motion of the council duly

adopted at a regular meeting. Any such notice shall state the subject to be considered at the special meeting and no other subject shall be there considered, except by unanimous consent of all members. All meetings of the council shall be open to the public, except that the council shall have the right to meet in executive session, which shall be closed to the public to consider items of a sensitive nature. Such closed meetings shall be held in accordance with the applicable provisions of the Annotated Code of the Public General Laws of Maryland (1984). The rules of the council shall provide that citizens of the city shall have a reasonable opportunity to be heard at any meetings open to the public in regard to any matter considered thereat. (1937, ch. 532, § 5; Char. Am. Reso. No. 1986-4, 11-26-86; Char. Am. Reso. No. 2009-3, § 2, 11-18-09.)

Section 6. Mayor and mayor pro tem.

At its first meeting following a regular municipal election the council shall choose one of its members as mayor, and shall also choose one of its members as mayor pro tem. The mayor shall preside at meetings of the council and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by this Charter and the ordinances of the city. He shall be recognized as the head of the city government for all ceremonial purposes, by the courts for serving civil process, and by the governor for purpose of military law. If a vacancy occurs in the office of mayor, or in case of his absence or disability, the mayor pro tem shall act as mayor for the unexpired term or during the continuance of the absence or disability. (1937, ch. 532, § 6.)

Section 7. Council – Rules; attendance; expulsion of members.

The council shall determine its own rules and order of business and keep a journal of its proceedings. It shall have power to compel the attendance of absent members, and may, by vote of not less than six (6) members, expel a member from a meeting for disorderly conduct or the violation of its rules. (1937, ch. 532, § 7; Char. Am. Reso. No. 2009-3, § 2, 11-18-09.)

Section 8. Same – Quorum, procedure.

(a) *Quorum.* A majority of the members elected to the council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

(b) *Voting.* The affirmative vote of a majority of the members elected to the council shall be necessary to adopt any ordinance, resolution, order or vote; except, that a vote to adjourn, or regarding the attendance of absent members, may be adopted by a majority of the members present, and except that any votes to delete properties from the Greenbelt Forest Preserve shall require at least six (6) votes. Any member shall be entitled to abstain so long as such member gives a reason for abstaining and such reason falls within one of the following:

1. When to vote would or could be considered improper pursuant to the City and State Ethics Laws.

2. When to vote could or may show bias for or against a person, organization or business that the member has a close personal relationship with thus reflecting poorly on the member and the office such member holds.

3. When for any other reason a member is not comfortable voting and has given the Chair a reason for requesting to abstain so long as excused by the Chair or Council by vote. (1937, ch. 532, § 8; Char. Am. Reso. No. 2003-1, 12-16-03; Char. Am. Reso. No. 2009-3, § 2, 11-18-09; Char. Am. Reso. No. 2014-1, 4-15-14.)

Section 9. Ordinances and resolutions – Procedure for adoption; enacting clause.

Ordinances and resolutions shall be introduced in the council only in written or printed form. All ordinances, except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances, shall be confined to one subject, and the subject, or subjects, of all ordinances shall be clearly expressed in the title. Ordinances making appropriations shall be confined to the subject of appropriations. No ordinance shall be passed until it has been read on two separate days, unless the requirements for reading it on two separate days be dispensed with by a vote of not less than six (6) members of council. The final reading of each ordinance shall be in full unless a written or printed copy thereof shall have been furnished to each councilman prior to such reading. The yeas and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the council. The enacting clause of all ordinances shall be “Be it ordained by the Council of the City of Greenbelt, Maryland.” (1937, ch. 532, § 9; Char. Am. Reso. No. 2009-3, § 2, 11-18-09.)

Section 10. Same – Effective date.

All ordinances and resolutions passed by the council shall take effect at the time indicated therein but not less than ten days after the date of their passage, except ordinances of an emergency nature, which may, by direction of council, become effective on date of passage. (1937, ch. 532, § 10; 1939, ch. 632.)

Section 11. Same – Authentication, publication.

Upon its final passage each ordinance or resolution shall be authenticated by the signature of the mayor and the city clerk and shall be recorded in a book kept for that purpose. Each ordinance and resolution shall be published as soon as possible after its passage by posting it in a public place or places within the boundaries of the city for ten days or by publishing it once within ten days in a newspaper of general circulation in the city or both. (1937, ch. 532, § 11; 1949, ch. 583.)

Section 11A. Same – Codification.

(a) The council may provide for the codification or recodification of any or all of the ordinances of the city, in permanently bound or looseleaf form. Such ordinances may be changed, altered or amended in such manner as the Council may direct, and ordinances or portions thereof may be deleted and new material may be added as directed by the council. Such changes,



alterations, amendments or deletions and such new material shall become effective on the effective date of the codification or recodification.

(b) Such codification or recodification may be adopted by reference by a single ordinance, without further publication of such codification or recodification or any portions thereof. The ordinance adopting such codification or recodification shall comply with all laws of the state and any provision of this Charter governing adoption, posting and publication of ordinances.

(c) Supplements for any such codification or recodification may be prepared from time to time at the direction of the council, either as a unit or on a replacement page basis; provided, that where replacement pages are prepared, a distinguishing mark or notation shall be placed on each replacement page to distinguish it from original pages and pages of other supplements. No



further adoption procedure shall be required for a supplement in which no substantive change is made in ordinances validly adopted by the council. If changes, alterations, amendments, deletions or additions of a substantive nature are made in any such supplement, then such supplement shall be adopted by the council in the same manner provided in this section for the adoption of codification and recodifications.

(d) At least one copy of any codification or recodification adopted hereunder and at least one copy of every supplement thereto shall be kept in the office of the city clerk, and shall there be available for public inspection during normal business hours. (Char. Am. Reso. No. 161, 7-8-69 [Char. Am. Reso. No. 1969-1].)

## Municipal Agencies

### Section 12. Employee relations board.

(a) *Members; appointment.* There shall be an employee relations board consisting of five members who shall be appointed by the council. Members of the employee relations board shall be qualified voters of the city; and no member of this board shall hold any other elective or appointive office in the city government.

Members of the employee relations board shall serve for a term of three years, or until their successors have been appointed. The three members presently serving on the board shall continue to serve until the expiration of their current term. Of the two new members, one shall initially be appointed to serve for a term of two years; and one shall be appointed for a term of three years. Members of the employee relations board may be reappointed for subsequent terms. The council shall designate one of the members as chairman. Vacancies in an unexpired term shall be filled by the council by appointment for the remainder of the term.

(b) *Removal.* A member of the employee relations board may be removed by council for cause only and after being given a written statement of the charges against him and a public hearing on the charges if he so requests. A certified copy of the charges and a transcript of the record shall be filed with the city clerk.

(c) *Quorum, procedure.* Three or more members shall constitute a quorum to do business and conduct hearings, but a less number may adjourn from time to time. Meetings of the board shall be convened at the call of the chairman or at the request of any three members of the board. The chairman shall preside at meetings.

The board shall select from among its members a vice chairman who shall serve as chair in the absence of the chairman. In the absence of the chairman and vice chairman, the members present shall select an acting chairman.

The affirmative vote of a majority of the members shall be necessary for the adoption of any resolution put to the board. Only those members present at a hearing of the board are

empowered to render, by an affirmative vote of the majority of the hearing panel, findings, recommendations and/or decisions relating to the matter heard.

Members of a hearing panel may request a meeting of the entire board, which shall be granted by the chairman, to discuss its proposed findings, recommendations, and/or decisions, but the board shall not have the power to override the actions of the hearing panel.

The board shall adopt its own by-laws and amendments thereto, subject to approval by the city council.

(d) *Powers.* The board shall have power and shall be required to:

(1) Conduct hearings, public or private, if requested by the employee, in accordance with the provisions of section 36 of this charter as amended.

(2) Hear grievance complaints arising out of classification, reclassification, or any unreasonable, abusive, unfair, discriminatory, or oppressive treatment or working conditions or any reprisal arising out of any grievance complaint or testimony before the employee relations board and to make findings and recommendations thereon.

(3) Review personnel policies and practices as they relate to grievances brought before this board and to make recommendations to the council and manager for the purpose of preventing grievances from arising.

(4) In appeals, call witnesses and compel the testimony of officers and employees of the city and to require them to subscribe testimony and make oath or affirmation thereto before a person authorized to administer oaths under penalty of dismissal.

(5) As may be required by Article VIII (Labor Code) of Chapter 13 of the city Code, hear and address grievances arising out of collective bargaining agreements.

(6) In grievances, if necessary to carry out the purposes of sections 13-179 and 13-242 of the city Code, call witnesses and request the testimony of officers and employees of the city and to require them to subscribe proffered written testimony and make oath or affirmation to proffered oral testimony before a person authorized to administer oaths, and request the production of documents. (Ord. No. 419, 5-2-60; Reso. No. 16, 1961, 4-3-61; Reso. No. 35, 7-8-63; Ch. Am. Reso. No. 1981-2, 4-14-81; Reso. No. 2002-3, 4-16-02; Reso. No. 2008-1, 10-28-08.)

### Section 13. Advisory planning board.

(a) *Members.* There shall be an advisory planning board consisting of nine members, namely, a member of the incumbent city council and the city manager, serving on the board ex-officio and without vote for a term corresponding with their official tenure of office, and seven citizen-members (qualified electors of the City of Greenbelt), appointed by city council. The seven citizen-members shall be appointed for a period of three years, or until their successors are appointed or installed; except that the respective terms of the seven members presently serving on

the present board (established by Ordinance No. 444) shall continue to serve on the advisory planning board until the end of their terms, as provided by Ordinance No. 444. Vacancies in an unexpired term shall be filled by the council by appointment for the remainder of the term. A member of the board may be removed by city council for cause only and after being given a written statement of the charges against him and a public hearing on the charges if he so requests. A certified copy of the charges and a transcript of the record shall be filed with the city manager. No citizen-member of the advisory planning board shall hold any other appointive or elective office in the city government.

(b) *Officers; procedure.* The board shall elect its own officers who shall be selected from the citizen-members and shall adopt its own by-laws and amendments thereto, subject to approval by the city council.

(c) *Duties.* The advisory planning board shall engage in such planning activities as are necessary to provide the council with workable solutions to such problems as: Residential, commercial and industrial land development; park and recreational land development; zoning changes; building and housing codes; urban renewal; transportation and community facilities; capital budgeting, and other activities as may be referred to it by action of the city council. (Reso. No. 27, 1961, 9-11-61.)

## Elections

### Section 14. Generally.

(a) *Council elections.* The regular election for members of the city council shall be held on the first Tuesday following the first Monday of November in odd numbered years. All elections shall be nonpartisan. (Char. Am. Res. No. 1986-1, 11-26-86.)

(b) *Referendum.* By resolution, the council shall direct to be placed upon the ballot for any regular council election or duly called special election such questions as may be required to be submitted to the voters by this Charter or the laws of Maryland and such questions as it may choose to submit to the voters. The resolution, which shall be adopted not later than the sixth Monday preceding a regular council election or at the time a special election is called, shall include the exact wording of each question to be submitted to the voters.

(c) *Special elections.* The city council, or board of elections when authorized by this Charter, shall order the holding of a special election and shall fix the time of the election. Special elections shall be held only for purposes authorized by this Charter or the laws of the State of Maryland. Insofar as they may be applicable, special elections shall be subject to the provisions of this Charter relating to regular council elections.

(d) *Notice of elections.* The city clerk shall give at least twenty-one days' notice of every election by an advertisement published in a newspaper of general circulation in the city. No special election shall be set for a time that does not allow the city clerk to give the notice as required

herein. (1937, ch. 532, § 12; Char. Am. Reso. No. 89, 6–8–66; Char. Am. Reso. No. 1975–3, § 1, 4–7–75; Char. Am. Reso. No. 1990–1, § 1, 2–5–91; Reso. No. 2002–2, 3–19–02.)

#### Section 15. Voters.

A qualified voter within the meaning of this charter shall be any person who is a resident of the City of Greenbelt and who is duly registered with Prince George’s County under the applicable provisions of Article 33 of the Annotated Code of Maryland [Maryland]; provided that eligibility to vote in any city election shall be subject to applicable registration deadlines as set forth in the charter and code of the city. (1937, ch. 532, § 13; 1949, ch. 583; Char. Am. Reso. No. 90, 6–8–66; Char. Am. Reso. No. 1971–3, § 1, 5–17–71; Char. Am. Reso. No. 1975–3, § 1, 4–7–75; Char. Am. Reso. No. 1990–1, § 1, 2–5–91.)

#### Section 16. Board of elections – Generally.

(a) *Appointment.* There shall be a board of elections consisting of five members who shall be appointed by the city council. The members shall be appointed for a term ending on the third Monday of January in even numbered years or until their successors are appointed. Members shall serve for a term of four years, or until their successors are appointed; except that, of the members first appointed, three shall be appointed for a term expiring on the third Monday in January, 1978; and two shall be appointed for a term expiring on the third Monday in January, 1976.

Members of the board of elections shall be qualified voters of the city and shall not hold or be candidates for any elective office in government (federal, state, or local) during their term of office. The board shall elect one of its members as chairman who shall serve at the pleasure of the board until a successor chairman is elected. A vacancy on the board shall be filled for the remainder of the unexpired term by the city council.

Three members of the board shall constitute a quorum at meetings duly called pursuant to rules to be adopted by the board.

(b) *Removal.* Any member of the board of elections may be removed for good cause by the council; provided that prior to the taking of such action the member proposed to be removed shall be given a written copy of the charges placed against him, and if he so requests within ten days of receipt of said charges shall be entitled to a public hearing before the council. Any member who shall fail to attend without good and sufficient reason three consecutive meetings of the board, or a majority of five consecutive meetings, shall be deemed to have provided good cause for removal by the council. The chairman of the board shall notify the council of such absences. Upon a vote for removal, the office of that member of the board shall become vacant.

(c) *Duties.* The board of elections shall:

1. Review periodically city election procedures;

2. Recommend to the council amendments to city election regulations and procedures when it deems such amendments will provide for the improved conduct of elections;
3. Hear appeals of decisions of the city clerk as provided herein;
4. Appoint election judges and clerks as provided by the city code;
5. Examine promptly any complaints which may be made to it with reference to the fitness or qualifications of any person appointed to be a judge or clerk; and it shall further be the duty of the board to remove from such position any judge or clerk found to be unfit or incompetent for such position;
6. Certify the results of elections;
7. Conduct recounts of votes cast at elections whenever there is doubt as to the accuracy of the count;
8. Perform such other duties as may be assigned to it by this Charter, ordinances and resolutions, and by the direction of the city council.

(d) *Compensation.* The city council may provide by resolution for the compensation of the chairman and members of the board of elections.

(e) *Failure of board to act.* Should the board of elections fail to perform its duties, as required by this Charter or city ordinances and resolutions, the city council shall declare itself to be and shall act as the board of elections in order to take all actions necessary to assure the successful conduct of city elections and shall continue to function as the board until such time as the council declares the board able to perform its duties. The times prescribed herein before which the board of elections must take required actions shall not apply if the city council must act as the board of elections. (Char. Am. Reso. No. 1975-3, § 3, 4-7-75; Char. Am. Reso. No. 1985-2, § 1, 5-7-85.)

Section 17. Same – Budget.

Annually, the board of elections shall submit its proposed budget for the next fiscal year to the city manager not less than thirty days prior to the time the city manager is required to submit the annual budget to council. The budget shall propose the number of judges and clerks to be provided for each election scheduled and their rates of compensation and shall provide funds to compensate all employees proposed and to meet such other expenses as may be proposed. The city manager shall transmit to the council the proposed budget of the board of elections without change, along with and as part of the proposed city budget, and the city council may amend and adopt this budget and appropriate funds in the same manner as required for other departmental and agency budgets of the city. Expenditures of the board shall be in accordance with appropriations and shall be authorized and approved in the same manner as other city expenditures. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75.)

Section 18. Registration for election; Universal Registration.

(a) Registration with the Prince George's County Board of Elections under the State of Maryland General Election laws by any person who resides within the corporate limits of the City of Greenbelt shall be considered registration for any council election, referendum, and/or special election held by the City of Greenbelt.

(b) Method, hours, and places of registration shall be as established by the Prince George's County Board of Elections.

(1) In addition to registration procedures established by the Board of Election Supervisors of Prince George's County and so as to provide optimum convenience and opportunity for city residents to register, mail registration forms shall be made available at the city offices during regular office hours and at such other times and places as may be designated by the city clerk. Such forms shall be provided by the supervisor of the Board of Elections at the request of the city.

(2) Neither city employees nor employees or attendants at other locations offering mail registration forms are agents or shall act as agents for the Prince George's County supervisor of elections. Each person obtaining a mail registration form shall assure the timely delivery of the completed registration form to the office of the county supervisor of elections to meet the applicable registration deadline.

(c) The names of persons who register in person or whose mail registration forms are received during the following periods will not be included in the list of qualified registered voters for the purpose of a city election:

1. Between the close of business of the fifth Monday preceding the regular council election and the close of the polls on the day of such election, or runoff election, if any.

2. Between the close of business of the Monday of the calendar week immediately preceding the week in which the day of the special election has been set and the close of the polls on the day of such special election, or runoff election, if any.

(d) The city clerk shall give at least ten days' notice prior to the close of the registration dates for city elections, as set forth in (c) 1. and 2. above. Such notice shall be in the form of an advertisement published in a newspaper of general circulation within the city. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1977-1, § 1, 2-7-77; Char. Am. Reso. No. 1990-1, § 1, 2-5-91.) (See note (5))

Section 19. Registration list.

(a) *Implementation plan for universal registration.* Not less than six (6) months prior to a council election, and immediately upon the call for a special election, the city clerk, who is designated the municipal liaison for the City of Greenbelt, shall submit to the Board of Elections of Prince George's County a request for the development of a plan and schedule to implement



universal registration, in accordance with the provisions of Section 3 of Article 33 of the Annotated Code of Maryland (1957 as amended).

The plan shall include, but not be limited to, provisions for:

1. Identifying the City’s boundaries and precinct boundaries;
2. Obtaining, updating, and maintaining in the county’s files the voter history of registrants who vote in city elections; and updating and maintaining any changes to the city’s boundaries or precincts;
3. Establishing the county’s deadline for accepting registration applications from city residents for inclusion in the city’s voter registration list for a city election;
4. Determining the format of the voter registration list, including voter history and data for city registrants, and the time for providing this list to the city by the Prince George’s County Supervisor of Elections;
5. Furnishing to the city ninety (90) days prior to the date of a regular election, or within one week of the call for a special election, a preliminary list of registered voters residing within the city at such time, and separate listings of the names of voters who have been a) removed from or b) added to the list of qualified voters since the last regular council election of the city;
6. Notifying the supervisor of elections of Prince George’s County within twenty (20) days after receipt of the preliminary list of registered voters of any potential or known errors in the list, including residency of registered voters.
7. Developing procedures for obtaining additional copies of registration lists or parts thereof in the form of printed lists, mailing labels, and/or floppy disks or other computerized data.

(b) *Posting of List.* It shall be the duty of the city clerk before every municipal election to:

1. Post the current registration list together with a list of all names added or removed since the last regular council election in a public place or places within the boundaries of the city by the twelfth Monday preceding the date of any regular council election.
2. Post at least three weeks preceding the date of the regular council election a supplemental list of all names added or removed since the posting of the registration list in all location at which the registration list was posted.
3. Post in a public place within the city not more than ten days after a special election has been called by the city council or board of elections the registration list for the last regular council election and a supplemental list of names added or removed since the last regular

council election and, upon the close of the registration list prior to the special election, post another list of names added or removed since the previous posting.

(c) *Copies; availability to public.* The city clerk shall provide, without charge, to the chairman of the board of elections of Greenbelt a copy of each registration list and each list of names added to or deleted from the list which is required to be posted by this Charter, and may provide the other members of the board, the city council, and certified candidates for the office of city council with copies as well.

Any person, may make application for a copy of [or] copies of the registration list or parts thereof to the supervisor of the board of elections of Prince George’s County. Any person, with reasonable notice to the city clerk, shall be permitted to examine and to copy, without the payment of any service charge, the names and addresses from the registration list for any purpose relating to a city election. Each application for examination or copying of registration lists at the office of the city clerk shall be accompanied by a sworn or affirmed statement of the applicant, declaring that the information obtained from the list will not be used for purposes of commercial solicitation or other business purposes. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1986-3, 11-26-86; Char. Am. Reso. No. 1990-1, § 1, 2-5-91.)

Section 20. Nominations.

(a) Any qualified voter may be nominated for the office of member of council upon filing at the office of the city clerk a nominating petition signed by not fewer than fifty voters, a written acceptance of the nomination, and such other statements as may be required by this Charter or by law. Upon the finding by the city clerk that the nomination petition, the written acceptance, and such other statements as may be required are in order, the name of such nominee shall be authorized to be placed upon the ballot.

(b) The signatures of the nomination petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulation thereof, stating the number of signers of such paper and that each signature appended thereto was made in the affiant’s presence and is, to the best of the affiant’s knowledge, the signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street name or numbers or other description sufficient to identify the same. The provisions of this paragraph shall be mandatory and not discretionary.

(c) The form of the nomination petition shall be substantially as follows:

We, the undersigned qualified voters of the City of Greenbelt, Maryland, hereby nominate ..... whose residence is ..... for the office of Member of Council, to be voted for at the election to be held in the City of Greenbelt on the ..... day of .....19... and we individually certify that we are qualified to vote for a candidate for the office named.

.....  
(Name) (Street Name and Number)

(Space for Additional Signatures)  
State of Maryland  
County of Prince George's, SS

I, ..... hereby swear or affirm that my address is ..... and that I am the circulator of the foregoing paper containing ..... signatures and that the signatures appended thereto were made in my presence and are to the best of my knowledge, the signatures of the persons whose names they purport to be.

.....  
Signature of Circulator

Subscribed and sworn to before me this ... day of ..... 19..., Notary Public (or other officer authorized to administer oaths.)

(d) All nomination papers comprising a petition shall be assembled and filed with the city clerk during normal business hours as one instrument, not earlier than the twelfth Monday preceding and not later than the seventh Monday preceding a regular council election and at such times as may be set by the board of elections for a special council election. A written acceptance of nomination shall accompany the petition and shall be in the following form:

ACCEPTANCE OF NOMINATION

I hereby accept nomination for the position of Member of Council of the City of Greenbelt, Maryland, and agree to serve if elected.

.....  
Date of Acceptance

.....  
Signature of Candidate

A record of the exact time at which each petition is filed and the name and address of the person by whom it is filed shall be made and preserved. Within three days after the filing of a nomination petition, the city clerk shall notify the candidate and the person who filed such petition whether or not it is found to be in compliance with paragraphs (a), (b), and (c) of this section. If a petition is found insufficient, the city clerk shall return it without undue delay to the person who filed it with a statement certifying wherein the petition is found insufficient.

(e) Within the regular time allowed for the filing of petitions, such a petition may be amended and filed again as a new petition or a different petition may be filed for the same candidate.

The petition of each person nominated to be a member of council shall be preserved by the city clerk until the expiration of the term of office for which he has been nominated. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1986-3, 11-26-86.)

Section 21. Campaign financial reports.

The city council, by ordinance, may provide for the reporting of contributions and expenditures made in furtherance of or opposition to (a) the nomination and election of candidates for the office of member of council and/or (b) any issue, principle, or proposition submitted to a vote at any city election, provided that no such ordinance or amendment thereto shall become effective within a sixty-day period preceding a regular election. No person shall be deemed elected to the office of member of council or enter upon the duties thereof, or receive any salary or emoluments therefrom until he or she has filed any reports authorized herein which may be required to be filed prior to taking office. Any person who fails to file reports authorized herein shall be deemed unqualified to run for election for the office of member of the council, and the city council, by ordinance, may provide that the board of elections remove the person's name from the ballot prior to the election. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1994-1, 11-1-94; Res. No. 2007-2, 10-2-07.)

#### Section 22. Electioneering.

The City Council, by ordinance, shall establish a distance limit regulating electioneering at polling places. (Res. No. 848, 1-1-97.)

#### Section 23. Ballots.

Not later than the twelfth Monday preceding each regular council election and within seven days after a resolution has been adopted setting the time for a special election, the board of elections shall prescribe the method for casting and recording votes and the form of all ballots used, including absentee ballots. It may provide for the use of paper ballots, voting machines or any other method which assures the casting of secret ballots and an accurate tally of the ballots cast. The term ballot as used in this Charter shall refer to any method or form prescribed by the board for the casting of votes.

The names of candidates nominated for the council in accordance with the provisions of this Charter, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots exactly as such names appear on the registration list, except that should any candidate have a name which is sufficiently similar to the name of any other candidate, such that the voter might mistake one name for the other, the board in its sole discretion may permit any such candidate to add one parenthetical word and/or the address of his domicile to his listing on the ballot so as to more clearly identify the candidate to the voter.

The names of candidates shall be listed on the official ballots in the order determined by lot by the board at an open meeting, to be held not more than seven days following the last day for filing nomination petitions, and to which all candidates may appear or send a representative to witness the draw. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1986-3, 11-26-86.)

#### Section 24. Conduct of elections.

The council shall determine the number of precincts and their boundaries and make all needful rules and regulations, not inconsistent with this Charter, or the laws of Maryland, for the

conduct of elections, for the prevention of frauds in elections, and for the recount of ballots in case of doubt or fraud. Not later than the twelfth Monday preceding each regular council election, and within seven days after a resolution has been adopted setting the time for a special election, the board of elections shall designate a suitable place or places for voting and suitable procedures for the casting and counting of ballots. Upon the board's designation, the city clerk shall arrange to provide the necessary polling places and voting equipment.

The council, by resolution, shall authorize the number of clerks and judges of elections in each precinct and shall provide for their compensation. The board of elections shall appoint as many competent persons as may be authorized to act as clerks or judges of election. Said judges or clerks, before entering upon their duties as such, shall swear or affirm and subscribe thereto to faithfully, honestly, and without prejudice or partiality perform each and every duty required of them, and such documents shall be filed with the city clerk. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1986-3, 11-26-86.)

#### Section 25. Watchers and challengers.

Any regularly nominated candidate may appoint in writing one person and one alternate to represent him as both watcher and challenger at each voting place. Any persons so appointed shall have all the rights and privileges prescribed by ordinances enacted by the city council and by law of the State of Maryland for other watchers and challengers at any election in the County of Prince George's. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75.)

#### Section 26. Voter identify [identity].

Upon satisfying the judges of election of his or her identity, any person whose name properly appears on the registration list provided by the supervisors of elections of Prince George's County may vote. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1990-1, § 1, 2-5-91.)

#### Section 27. Absentee voting.

Any qualified voter of the City of Greenbelt may vote by absentee ballot. The procedures for applying for, casting, and counting absentee ballots shall be established by ordinance. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 2005-1, § 5, 8-30-05.)

#### Section 27A. Early Voting.

Any qualified voter of the City of Greenbelt may vote by Early Voting. The procedures for casting and counting early votes shall be established by ordinance. (Char. Am. Reso. No. 2009-1, § 2, 8-11-09.)

#### Section 28. Vote count.

Upon the closing of the polls, the ballots shall be counted in accordance with procedures established by ordinance and such other procedures as may be established by the board of elections.

The board shall receive the count of votes for each precinct and shall determine the total vote case for each candidate or question and shall certify the results of the election to the city clerk, who shall record the results in the minutes of the council. The board shall conduct recounts of votes cast whenever it determines that there is a doubt as to the accuracy of the count, or when so requested by the council, or when duly petitioned in accordance with procedures established by ordinance. The validity or invalidity of ballots cast shall be determined by the board on the same basis as is prescribed for elections of the State of Maryland. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1985-2, § 1, 5-7-85.)

#### Section 29. Witnessing vote count.

Every regularly nominated candidate shall have the right to be present during the entire count, with facilities for examining all operations closely and for keeping all the voting machines or ballots or their containers in view when the counting is not in progress. He shall have the right to designate in writing alternates to act in his place when he may be absent. Representatives of the press and, so far as may be consistent with good order and with convenience in counting, the general public shall also be given every facility for witnessing the count. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75.)

#### Section 30. Ballots preserved.

All the ballots cast [cast] at each election of the council, whether valid or invalid, shall be deposited with the city clerk and preserved until the term of the members of council elected thereby has expired. All ballots cast at any other municipal election shall be deposited with the city clerk and preserved for one year. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75.)

#### Section 31. Election of council.

All members of council shall be elected at large. Every voter shall be entitled to vote for seven (7) candidates. The candidates receiving votes amounting to forty (40) percent or more of the number of voters voting at the election, shall be declared elected. If more candidates receive votes amounting to forty per cent or more of the number of voters voting than there are offices to be filled, those candidates receiving the greatest number of votes shall be declared elected. If, however, fewer than seven (7) candidates in a field of eight (8) or more candidates receive votes amounting to forty (40) percent or more of the persons voting in the election, a runoff election will be held to fill the vacancies remaining. This runoff election will be held on the seventh day following the first election. In the runoff election twice as many names, if possible, will be printed on the ballot as there are vacancies remaining unfilled. These names will be of those unelected candidates who polled the greatest number of votes in the first election. The names shall be listed in the order as they appeared on the ballot for the first election. In the runoff election the remaining positions will be filled by declaring elected the candidate or candidates receiving the greatest number of votes.

If, as a result of any election, an office cannot be declared filled because of an equal number of votes being received by two (2) or more candidates, a runoff election shall be held on the seventh day following the election. The names of the candidates receiving the tie vote shall be placed on

the ballot and the candidate receiving the greatest number of votes in the runoff election shall be declared elected. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1985-2, § 1, 5-7-85; Res. No. 2007-1, 10-2-07; Char. Am. Reso. No. 2009-2, § 2, 8-11-09.)

#### Section 32. Vacancies on council.

If a seat in the council becomes vacant, the remaining members of council by a majority vote shall, as soon as possible, elect a person to fill the unexpired term. If three or more council seats are vacant at the same time, the board of elections shall call at the earliest date a special election to fill said vacancies for the unexpired terms. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75.)

#### Section 33. Appeals.

(a) Any challenges to the registration list provided by the supervisor of the board of elections of Prince George's County shall be filed with the board of elections of Prince George's County, Maryland, in accordance with said board's procedures and applicable state law.

(b) Any person who shall feel aggrieved at any action of the city clerk relating to the filing of nomination papers or the conduct of elections shall have the right to appeal within ten days to the board of elections. The board of elections shall consider such appeal and shall have the authority to reverse the decision of the city clerk. Any aggrieved person shall also have the right to appeal a decision of the board of elections to the circuit court for Prince George's County within the time allowed for such appeals and such case shall be heard by such court as provided for by the general election laws of the state for appeal in election cases. So far as the same may be applicable, but not in contradiction to this Charter, the provisions of the general election laws relating to appeals and election cases generally shall be applied to such appeals. (Char. Am. Reso. No. 1975-3, § 1, 4-7-75; Char. Am. Reso. No. 1990-1, § 1, 2-5-91.)

### **Administrative Service**

#### Section 34. "Office" and "officer."

For the purposes of this Charter, all general provisions relating to officers or offices of the city shall include and apply to department heads and departments, but not to councilmen. (1937, ch. 532, § 32.)

#### Section 35. City manager – Appointment; qualifications; term of office; removal; acting city manager.

(a) *Appointment; qualifications.* The council shall appoint an officer whose title shall be city manager and who shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be chosen by the council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter

outlined. At the time of his appointment he need not be a resident of the city or state, but during his tenure of office he shall reside within the city. No person elected to membership on the council shall, subsequent to such election, be eligible for appointment as city manager until one year has elapsed following the expiration of the term for which he was elected. The council may permit the city manager to accept other employment not inconsistent with his duties, and to receive compensation for such employment, provided that before granting such permission the council shall be informed of the nature, extent and compensation of such employment.

(b) *Tenure.* The city manager shall be appointed for an indefinite term but the council may remove the manager from office in accordance with the following procedures:

(1) The council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the manager from duty for a period not to exceed forty-five days. A copy of the resolution shall be delivered promptly to the manager.

(2) Within five days after a copy of the resolution is delivered to the manager, he may file with the council a written request for a private or a public hearing. This hearing shall be held at a council meeting not earlier than fifteen days nor later than thirty days after the request is filed. The manager may file with the council a written reply not later than five days after the hearing.

(3) The council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the manager, if he has not requested a private or a public hearing or at any time after a hearing if he has requested one. The manager shall continue to receive his salary until the effective date of a final resolution of removal. The action of the council in suspending or removing the manager shall not be subject to review by any court or agency.

(c) *Acting city manager.* The manager may recommend and the council may designate a qualified city administrative officer as acting city manager to exercise the power and perform the duties of the manager during any temporary absence or disability of the manager. The council may revoke such designation at any time and appoint another officer of the city as acting city manager. (1937, ch. 532, § 33; Char. Am. Reso. No. 92, 6-21-66.)

### Section 36. Same – Powers.

(a) *Appointments; removals.* The city manager shall be responsible to the council for the proper administration of all affairs of the city placed in his/her charge, and to that end shall have the power to appoint and remove all officers and employees except the city solicitor, who shall be appointed or removed only with the consent of the council; provided, however, the city manager shall place the charge(s) which motivated the action to dismiss, suspend, or demote an employee holding a position in the classified service in writing, and shall serve a copy upon such employee together with a copy of this section. If the employee desires to appeal, the employee shall, in writing, notify his/her department head and the city manager, and request a hearing, and



mail or deliver such a request to the city clerk in accordance with the procedures set forth in the city code.

(b) *Appeals from removals.* Unless an appeal is filed with the city clerk in accordance with the procedures [procedures] set forth in the city code, the decision of the city manager to dismiss, suspend, or demote shall become final. If an appeal is filed timely, the city clerk shall mail or deliver copies of the appeal to the employee relations board and the city manager within three (3) working days of receipt. The city manager, upon receipt of a copy of the appeal shall immediately mail or deliver copies of the charge which motivated the action to dismiss, suspend, or demote the employee to the employee relations board. The employee relations board shall fix a date for hearing within thirty (30) days after the request is filed with the city clerk. The dismissed, suspended, or demoted employee shall have a right to counsel and to ask for a public or private hearing. The burden of proof shall rest with the city manager, who shall be furnished the services of the city solicitor, or another attorney where appropriate. The dismissed, suspended, or demoted employee shall have the right to present testimony and other evidence, call witnesses, including city employees, and the right of cross-examination. Within fifteen (15) days of the final day of the hearing on appeal, the employee relations board shall render its decision in writing, and such decision shall stand as the decision of the City of Greenbelt.

(c) *Appointments based on qualifications; discrimination prohibited.* Appointments made by the city manager shall be on the basis of the training, knowledge, experience, skills and other qualifications of such appointees in the work which they are to perform. No discrimination shall be made in the appointment or employment of any person on the basis of race, sex, color, religion, creed, country of natural origin, political opinion, marital status, age, physical or mental handicap, or physical appearance. All such appointments shall be without definite terms except for probationary, provisional, temporary or emergency service. (1937, ch. 532, § 34; 1949, ch. 538; Ord. No. 420, 5-2-60; Reso. No. 37, 7-9-63; Reso. No. 580, 12-25-84; Reso. No. 2002-4, 4-16-02.)

#### Section 37. Restrictions on officers and employees.

No councilman shall, during the time for which he is elected, be appointed to any office or position in the service of the city. No officer or employee in the service of the city shall continue in such position after becoming a candidate for nomination or election to any public office. No person seeking appointment to or promotion in the service of the city shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or on account of or in connection with his appointment, proposed appointment, promotion, or proposed promotion. (1937, ch. 532, § 35.)

#### Section 38. Interference by council with manager prohibited.

Neither the council nor any of its members shall direct or request the appointment of any person, or his removal from office by the city manager or in any manner take part in the appointment or removal of officers and employees in the administrative services of the city except as regards the appointment of a city solicitor. Except for the purpose of learning the functions and operations of the various departments of the City of Greenbelt, council members shall deal with

the administrative service solely through the manager, and neither the council nor any councilman shall give direct or implied orders to any subordinate of the city manager either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, conviction of which shall immediately forfeit the office of the councilman so convicted. (1937, ch. 532, § 36; Ord. No. 421, 5-2-60; Char. Am. Reso. No. 93, 6-21-66.)

Section 39. Duties of city manager.

(a) *General.* It shall be the duty of the city manager to act as chief conservator of the peace within the city; to supervise the administration of the affairs of the city; to see that the ordinances of the city and the laws of the state are enforced; to make such recommendations to the council concerning the affairs of the city as may seem to him desirable; to keep the council advised of the financial condition and future needs of the city; to prepare and submit to the council the annual budget estimate; to prepare and submit to the council such reports as may be required by that body; and to supervise all duties assigned to administrative officers by ordinance or by this Charter; and to perform such other duties as may be prescribed by this Charter or required of him by ordinance or resolution of the council not inconsistent with this Charter.

(b) Repealed by Charter Amendment Resolution No. 94, June 21, 1966. (1937, ch. 532, § 37; Ord. No. 422, 5-2-60; Char. Am. Reso. No. 94, 6-21-66.)

Section 40. Purchases.

It shall be the duty of the city manager to control the purchase, storage and distribution of all supplies, materials, equipment and contractual services required by the city government or any officer thereof; to establish and enforce standard specifications with respect to such supplies, materials, and equipment, and to determine their quality, quantity and conformance with specification; and to transfer to or between city offices or departments, or to sell surplus, obsolete or unused supplies, materials and equipment in such manner as council shall establish by ordinance.

The council shall prescribe by ordinance a competitive bid procedure and shall establish a dollar amount of purchase not to exceed ten thousand dollars (\$10,000) above which the taking of competitive bids shall be required subject to such exceptions as may be set forth herein. The ordinance may prescribe:

1. The basis upon which competitive bids shall be awarded.
2. Procedures for the award of purchases based upon competitive bids solicited and received by another government agency or non-profit organization in which the city is a member in lieu of the city taking bids.
3. For the exemption from competitive bid procedures of the purchase of special categories of supplies, materials, equipment or contractual services for which the council determines a competitive bid procedure is not feasible, including purchases from regulated public utilities and

from the central stores or services from another governmental agency and the employment of contractual professional services.

4. For the waiver of a required competitive bid procedure and the authorization for a negotiated purchase or contract in any amount by resolution of the council whenever it is determined to be in the best interests of the city or the council determines an emergency exists. (1937, ch. 532, § 38; Ord. No. 423, 5-2-60; Char. Am. Reso. No. 162, 7-8-69 [Char. Am. Reso. No. 1969-2]; Char. Am. Reso. No. 274, 3-18-74; Char. Am. Reso. No. 588, 2-26-85.)

#### Section 41. Officers in council meetings.

The city manager, the city solicitor, and such other officer of the city as may be designated by vote of the council shall be entitled to attend all meetings of the council, but shall not vote. The manager shall have the right to take part in the discussion of all matters coming before the council, and the other officers shall be entitled to take part in all discussions of the council relating to their respective offices. (1937, ch. 532, § 39.)

#### Section 42. Administrative officers.

(a) *Listed.* The administrative branches of the city government established by this Charter are the offices of the city clerk, and city solicitor, the departments of finance, and of public safety, but any other offices or departments may be established by ordinance. The council may by ordinance provide that any or all offices or departments may be combined subject to separation, whenever, in the opinion of the council, the conduct of the business of the city shall so require. The city manager may hold any office or combination of offices.

(b) *Powers of council.* The council may change or abolish any office or department established by ordinance and may prescribe, distribute, or discontinue the functions and duties of offices and departments so established. Additional functions and duties may be assigned by ordinance to offices and departments established by this Charter, but no function or duty assigned by this Charter to a specific office or department shall be discontinued or assigned to any other office or department by ordinance.

(c) *Classified and exempt service.* All offices and positions of the city are divided into the classified service and the exempt service. The exempt service shall include the following:

- (1) All elected officials and members of boards and commissions.
- (2) The city manager and the city solicitor.
- (3) Volunteer personnel and personnel appointed to serve without pay.
- (4) Consultants and counsel rendering temporary professional service.
- (5) Temporary, seasonal, provisional, emergency service or part-time employees not specifically included in the classified service by action of council.

The classified service shall include all other positions in the city service. All persons holding positions included in the classified service shall have permanent status upon completion of a probationary period.

(d) *Position classification plan.* The city manager shall make an analysis of the duties and responsibilities of all positions in the classified service and he shall recommend a position classification plan to the council. The council shall thereafter approve a classification plan. Upon recommendations of the city manager and with the approval of the council, the classification plan shall be revised from time to time as changing conditions require.

(e) *Pay plan.* The city manager shall recommend a pay plan to the council. The council shall thereafter approve a pay plan. The rates of pay shall be based on the principle of equal pay for equal work and variations in rates of pay shall be in proportion to substantial differences in the difficulty, responsibility, and qualification requirements of the work performed. The pay plan adopted shall include a minimum and maximum and such intermediate rates as may be desirable for each position. Subject to such schedule the pay of employees shall be determined on the basis of efficiency and length of service. The pay plan may be amended from time to time as circumstances require.

(f) *Other employment.* The city manager may, subject to appropriate adjustment in schedule compensation, permit any employee in the classified service to accept other employment not inconsistent with his duties an [and] to receive compensation for such employment. (1937, ch. 532, § 40; Reso. No. 36, 7-9-63.)

#### Section 43. Investigations into municipal affairs.

The council, the manager, or any person or committee authorized by the council by resolution, shall have power to inquire into the conduct of any office or officer of the city and to make investigations as to municipal affairs, and for that purpose may compel the production of books, papers, and other evidence. Failure to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a misdemeanor and shall be punishable by a fine not to exceed one hundred dollars or by imprisonment not to exceed thirty day [days], or both. (1937, ch. 532, § 41; Ord. No. 424, 5-2-60.)

#### Section 44. Duties of the city clerk.

The city clerk shall keep the records of the council, attend its meetings and perform such other duties as may be required by this Charter, or by ordinance. The city manager may appoint deputy clerks or other employees to assist the city clerk in any of his duties. (1937, ch. 532, § 42; Char. Am. Reso. No. 118, 6-6-67.)

#### Section 45. City solicitor.

The city solicitor shall be appointed or removed by the city manager only with the consent of the council. His compensation shall be fixed by the council. He shall be an attorney at law who

shall have been admitted to practice before the Maryland Bar and shall maintain an office within the State of Maryland, but need not be a resident of Greenbelt. He shall be the chief legal adviser of and attorney for the city and all offices thereof in matters relating to their official powers and duties. It shall be his duty to perform all services incident to his office; to attend meetings of the council when requested by the city manager, to give advice in writing, when so requested, to the council or the city manager; to prosecute or defend, as the case may be, suits or cases to which the city may be a party; to prepare all contracts, bonds and other instruments in writing in which the city is concerned, and to endorse on each his approval of the form and correctness thereof; and to perform such other duties of a legal nature as the council may by ordinance require. The city council shall have the power to employ other legal consultants as its deems necessary from time to time. (1937, ch. 532, § 43; 1949, ch. 583; Ord. 2-61; Reso. No. 15, 1961, 4-3-61; Char. Am. Reso. No. 97, 8-2-66.)

## **Department of Finance**

### Section 46. City treasurer.

The city treasurer shall be head of the department of finance, and shall have charge of the administration of the financial affairs of the city, and to that end he is authorized and directed:

1. To prepare the budget for the manager, as outlined in sections 48, 49 and 50, and to assist him in its execution after authorization by the council as required by section 51.

2. To maintain accounting control over the finances of the city government, for which purpose he is empowered to operate a set of general accounts embracing all the financial transactions of the city and such subsidiary accounts and cost records as may be required by ordinance or by the city manager for purposes of administrative direction and financial control; to prescribe the forms of receipts, vouchers, bills, or claims to be filed by all departments and agencies of the city government; to examine and approve all contracts, orders, and other documents by which the city incurs financial obligations, having ascertained before approval that moneys have been duly appropriated and allotted to meet such obligations and will become available when the obligations have become due and payable to audit and approve all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the city government and to determine the regularity, legality, and correctness of such claims, demands or charges; to make monthly reports on all receipts and expenditures of the city government to the manager and to make monthly reports on funds, appropriations, allotments, encumbrances, and authorized payments, to the manager, and the office directly concerned; to inspect and audit any accounts or records of financial transactions which may be maintained in any department or agency of the city government apart from or subsidiary to the general accounts; and to perform such other duties pertaining to the financial records of the city government as the council may require by ordinance.

3. To collect, receive, have custody of, and disburse all taxes, licenses, fees, and other moneys belonging to the city government, subject to the provisions of this Charter and ordinances enacted thereunder; to have custody of all investments, and invested funds of the city or in possession of the city in a fiduciary capacity, and to keep a record of such investments, and to have

custody of all bonds and certificates of city indebtedness, including such bonds and certificates unissued or cancelled, and the receipt and delivery of city bonds and certificates for transfer, registration or exchange. (1937, ch. 532, § 44.)

Section 47. Fiscal year.

The fiscal year of the city government shall begin on the first day of July and shall end on the last day of June. Such year shall constitute the budget year of the city government. (1937, ch. 532, § 45; Ord. No. 396, 10-19-59.)

Section 48. Submission of budget.

At or before the first council meeting in April of each year, the manager shall submit to the council a budget for the ensuing fiscal year and an accompanying message. (1937, ch. 532, § 46; Char. Am. Reso. No. 166, 7-8-69 [Char. Am. Reso. No. 1969-6].)

Section 49. Budget message.

The manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the city for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position and include such other material as the manager deems desirable. (1937, ch. 532, § 47; Char. Am. Reso. No. 166, 7-8-69 [Char. Am. Reso. No. 1969-6].)

Section 49a. Budget.

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the manager deems desirable or the council may require. In organizing the budget the manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

(1) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs, and the method of financing such expenditures; and

(2) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditure.

The total of proposed expenditures shall not exceed the total of estimated income; and applied surplus, if any. (Char. Am. Reso. No. 166, 7-8-69 [Char. Am. Reso. No. 1969-6].)

Section 50. Council action on budget.

(a) *Notice and hearing.* The council shall publish in one or more newspapers of general circulation in the city a notice stating:

(1) The times and places where copies of the message and budget are available for inspection by the public; and

(2) The time and place for a public hearing on the budget.

(b) *Amendment before adoption.* After the public hearing, the council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income or applied surplus, if any.

(c) *Adoption.* The council shall adopt the budget on or before the tenth day of June of the fiscal year currently ending. (1937, ch. 532, § 48; Ord. No. 396, 10-19-59; Char. Am. Reso. No. 166, 7-8-69 [Char. Am. Reso. No. 1969-6]; Char. Am. Reso. No. 1973-2, § 1, 6-11-73; Char. Am. Reso. No. 1975, § 1, 3-3-75.)

Section 51. Appropriation ordinance.

Immediately upon adoption of the budget, the city council shall adopt an ordinance appropriating funds for the ensuing fiscal year. Funds shall be appropriated to each of the various departments, offices, agencies or functions in accordance with the adopted budget. The appropriation ordinance shall also include a summary of estimated income for the ensuing fiscal year in accordance with the adopted budget and shall levy all property and other taxes required to realize the income estimated. (1937, ch. 532, § 49; Char. Am. Reso. No. 167, 7-8-69 [Char. Am. Reso. No. 1969-7].)

Section 52. Amendments after adoption.

(a) *Supplemental appropriations.* If during the fiscal year the manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(b) *Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the council may make emergency appropriations. Such appropriations shall be made by ordinance. To the extent that there are no available unappropriated revenues to

meet such appropriations, the council may by such emergency ordinance authorize the issuance of tax anticipation notes.

(c) *Transfer of appropriations.* At any time during the fiscal year the manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and the council may by resolution transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

(d) *Limitations; effective date.* No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. A two-thirds vote of all members of the city council shall be required for the authorization of supplemental and emergency appropriations and reduction or transfer of appropriations. (1937, ch. 532, § 50; 1939, ch. 632; Char. Am. Reso. No. 167, 7-8-69 [Char. Am. Reso. No. 1969-7].)

### Section 53. Expenditures.

No money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual appropriation ordinance or of such ordinance when changed as authorized by section 52 of this Charter. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the fund from which appropriated and shall be subject to re-appropriation; but appropriations may be made by the council, to be paid out of the income of the current year, in furtherance of improvements of other objects or works which will not be completed within such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned. Council may establish an equipment fund to which annual appropriations may be made; such fund to consist of a separate cash account, together with an offsetting reserve, such fund to be used only for replacement of equipment or purchase of new equipment as may be necessary, and such fund may accumulate from year to year and not be considered surplus to be turned into the general fund. (1937, ch. 532, § 51; 1939, ch. 632.)

### Section 54. Custody of moneys.

All moneys received by any office or agency of the city for or in connection with the business of the city government shall be paid promptly into the treasury and shall be deposited with financial institutions having accounts insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation or the Maryland Savings-Share Insurance Corporation. These financial institutions shall be designated by the manager, in accordance with regulations established by ordinance. Such financial institutions shall be subject to such requirements as to security for deposit and interest thereon by bond or otherwise, as may be established by ordinance. Funds not required to meet current obligations may be invested by the city manager and the city treasurer in short-term interest-bearing notes, bonds, or other obligations of the government of the United States of America or of the State of Maryland. All interest on moneys belonging to the city shall accrue to the benefit of the city government.



The provisions of this section shall not be applicable to the deposit and investment of moneys deferred under a contract through which the city agrees with any of its employees to defer, in whole or in part, such employee's compensation and interest earned thereupon and to participate in a deferred compensation plan as may be established by city ordinance, to the end that such moneys may be deposited and invested in accordance with the investment elections permitted under such a plan. (1937, ch. 532, § 52; Char. Am. Reso. No. 165, 7-8-69 [Char. Am. Reso. No. 1969-5]; Char. Am. Reso. No. 1976-3, § 1, 5-17-76; Char. Am. Reso. No. 1981-1, § 1, 3-24-81.)

#### Section 55. Bonds – Issuance.

(a) *Authorization.* The city may issue bonds up to four percent of its assessed valuation (or if no assessment is made, up to four percent of the valuation made by the assessor of Prince George's County), for the purpose of paying for any property or public improvement which it may lawfully acquire or construct, to pay for any improvement the cost of which is to be assessed wholly or in part against abutting or benefiting property; but no such bonds shall be issued to pay current expenses.

(b) *Bond ordinance.* All bonds of the city shall be authorized by an ordinance which shall contain the following: (1) A statement of the public purpose upon which the proceeds of said bonds are to be expended; (2) Specific provision for the appropriation and disposal of the proceeds of sale of any such bond [bond]; (3) Specific provisions for the payment of the principal of any such bonds and the interest thereon, which such provisions shall specify the source or sources of payment and shall constitute a covenant binding the municipal corporation to provide the funds from such source or sources as and when said principal and interest shall be due and payable.

A complete and exact copy of the ordinance shall be posted in a public place or places within the boundaries of the city for thirty (30) days and shall be published at least once within ten (10) days of its passage in a newspaper of general circulation in the city.

(c) *Bond referendum.* An ordinance authorizing a bond issue shall be submitted to the voters at either the next regular municipal general election or at a special election at the discretion of the city council. In the event a special election is designated, it shall be held within a period of not less than forty (40) days nor more than sixty (60) days after the final passage of the resolution providing for the referendum. The resolution providing for the referendum shall specify the exact wording which is to be placed on the ballots or voting machines when the question is submitted to the voters of the city and shall include the amount of the bond issue and the purpose for which the bond monies are to be used. If a majority of the qualified electors voting on the issue approve the bond issue, the ordinance authorizing the issuance of bonds shall take effect immediately. Provided, however, that any ordinance authorizing a bond issue for the purpose of providing a public improvement shall not be required to be submitted to referendum but shall become effective ten (10) days after passage if the ordinance provides for the payment of half the cost or more of principal and interest from monies anticipated to be realized from the levying of special assessments or the levying of a tax upon property lying within a duly created special taxing district even though the full faith and credit of the city may be pledged to the redemption of such bonds as well as such special assessments and taxes.

(d) *Sale of bonds.* Upon an ordinance authorizing the issuance of bonds becoming effective, the city manager shall prepare notices soliciting bids for the purchase of said bonds, which notice shall set forth the date, place, and time for receiving and opening bids and a brief description of the purpose or purposes for which said bonds are to be issued, a brief description of the denominations, maturities, terms and conditions of said bonds, a statement of the rate or rates of interest to be borne by said bonds, or the manner of determining same and a reference to the resolution authorizing the same. Said notice of sale may also require prospective purchasers to submit bids on specified forms and to accompany their bids with good faith deposits in specified amounts, may make appropriate provisions for approval of the legality of such bonds, and may contain a financial statement of the city. Public notice of the taking of bids shall be made at least twenty (20) days prior to the final date for receiving such bids.

Upon the receiving of bids and their review, the city council shall award the issuance of the bonds to the responsible bidder whose bid results in the lowest net interest cost to the city, to be determined by computing the total interest on all the bonds to their total maturities and deducting therefrom the premium bid, if any. Such an award shall be made by ordinance and such ordinance shall include the complete form of said bonds, the place or places and time or times of payment thereof, the rate or rates of interest payable thereon, the title of the officials whose signatures are affixed to or imprinted on such bonds, the authority for the issuance thereof, and the taxes or any special revenues from which the principal and interest on said bonds will be payable.

(e) *Sale of bonds by negotiation.* When, after a bond issue has been approved, it is determined that it is in the best interests to negotiate the sale of bonds in lieu of taking bids, the city council may waive the bidding procedures by a vote of not less than two-thirds of its members. Upon the waiver of bidding procedures and the completion of negotiations, the city council shall award the issuance of the bonds by ordinance and such ordinance shall include the complete form of said bonds, the place or places and time or times of payment thereof, the rate or rates of interest payable thereon, the title of the officials whose signatures are affixed to or imprinted on such bonds, the authority for the issuance thereof, and the taxes or any special revenues from which the principal and interest on said bonds will be payable. (1937, ch. 532, § 53; Char. Am. Reso. No. 119, 6-6-67; Char. Am. Reso. No. 1971-2, § 1, 4-5-71; Reso. No. 2002-01, 3-19-02.)

#### Section 56. Same – Anticipatory loans.

At any time after a bond ordinance has taken effect, the city may borrow money for the purposes for which bonds are to be issued, in anticipation of the receipt of the proceeds of the sale of the bonds, and within the maximum authorized amount of the bond issue. Such loans shall be due and payable not later than three years after the time of taking effect of the ordinance authorizing the bonds upon which they are predicated, but the limits of the life of the bonds, as prescribed in the preceding sections, shall be construed to include the term of such temporary loan. (1937, ch. 532, § 54.)

#### Section 57. Tax anticipation notes.

The council may by ordinance authorize the issuance of notes or other evidences of indebtedness in anticipation of the collection of taxes or of special assessments, or of other revenues. Such notes or other evidences of indebtedness shall have and possess all the attributes of negotiable instruments and shall constitute pledges of the faith and credit of the city to the prompt payment, from the tax and other revenues described in the enabling ordinance, of the principal of and interest on said notes when due. Such notes or other evidences of indebtedness may be sold by bid or private negotiation. No tax anticipation notes or other evidences of indebtedness shall be issued which shall mature later than eighteen months from their respective dates of issue. (1937, ch. 532, § 55; Char. Am. Reso. No. 164, 7-8-69 [Char. Am. Reso. No. 1969-4]; Char. Am. Reso. No. 1971-1, § 1, 1-11-71.)

Section 58. Revenue bond financing.

(A) *Findings.* The following legislative findings are made:

(1) The existing stock of housing in the City of Greenbelt, Maryland (the “city”) is a valuable asset that must be maintained and where necessary, rehabilitated in order to provide decent, safe and sanitary housing for the present and future residents of the city.

(2) Rehabilitation of residential structures to reduce the use of heating oil, natural gas, coal and other vital natural resources is in the best interest of the city and the country.

(3) The existing stock of nonresidential structures in the city is likewise a value asset which should not be allowed to deteriorate or sit vacant. Rehabilitation of nonresidential structures increases the tax base of the city, provides temporary and permanent employment and improves the economy of the city as a whole.

(4) Many rehabilitation projects are economically feasible only if low or lower interest rates are made available for the use of the particular project. The lack of authority to issue revenue bonds to provide low-interest financing for such projects has adversely affected the economy of the city.

(B) *Purpose.* It is the declared legislative purpose to aid in the rehabilitation of existing structures and buildings in the city by making available the use of revenue bond financing to assist such projects.

(C) *Definitions.* As used in this section:

(1) Bonds means and shall include bonds, notes or other evidences of obligations.

(2) City means the City of Greenbelt, Maryland, a body corporate of the State of Maryland.

(3) Council means the council of the city created by section 4 of this Charter.

(4) Project means one (1) or more existing buildings or structures, or portions thereof, used or intended to be used for residential, commercial, industrial or recreational uses, or any combination thereof, together with all facilities necessary or desirable therefor, and any land or interest in land necessary or desirable for the building or structure;

(5) Security shall mean and include such items of security as are provided in connection with a particular issue of bonds and as are authorized in subsection (f)(1).

(D) *Authorization.* The city may borrow money to assist in the financing of projects by issuing revenue bonds (including refunding bonds) in any manner deemed appropriate by the council.

(E) *Procedure.* Bonds shall be issued pursuant to an ordinance of the city without the necessity of submitting the question of each issuance to the voters of the city for approval or disapproval. The ordinance shall contain a description of the project to be financed, the amount of bonds to be issued, the rate or rates of interest the bonds are to bear, or the method of determining such rate or rates, the manner or method of issuing and selling (including negotiated as well as competitive bid sale) and such other provisions not inconsistent with this section as shall be determined by the council to be necessary or desirable to effect the financing of the project.

(F) *Form, term and provisions.*

(1) The bonds may be secured by and payable, as to principal and interest, from a pledge of the revenues from or arising in connection with:

- (i) The project;
- (ii) Any contracts, mortgages or other securities purchased, acquired or provided in connection with the financing of the project; or
- (iii) Any combination thereof.

The bonds may also be secured by and payable from the proceeds of private or governmental mortgage insurance, casualty and special hazard insurance and any other security deemed appropriate by the council.

(2) The bonds may be issued to bear interest, payable either annually or semiannually or otherwise, and may be executed, issued and delivered at any time or from time to time, may be in such form and denominations, may be of such tenor, may be payable in such amounts at such times not exceeding forty (40) years from date thereof and at such place or places as the council determines.

(3) The bonds may provide that they or any of them may be called for redemption at the option of the city prior to maturity at a price or prices and under such terms and conditions as may be fixed by the council before issuing the bonds.

(4) In accordance with section 35 of article 23A of the Annotated Code of Maryland, the principal amount of the bonds and the interest payable thereon shall be and remain exempt from taxation by the State of Maryland and by any county, municipal corporation or other political subdivision of the state.

(5) Bonds issued pursuant to this section shall be negotiable and may be in coupon form or registrable as to principal alone or as to both principal and interest.

(6) The bonds shall be signed by the mayor, and the seal of the city shall be affixed thereto, attested by the clerk. If any officer whose signature or countersignature appears on the bonds or coupons ceases to be such officer before delivery of the bonds, his signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery.

(7) The bonds shall be sold in such manner, either at public or private sale, and upon such terms as the council deems best. Bonds issued under this section are not subject to the provisions of sections 9, 10 and 11 of article 31 of the Annotated Code of Maryland.

(8) All moneys received from the bonds shall be applied:

(i) To the payment of all costs of issuance, including printing, engraving, legal, accounting, placement and underwriting fees and expenses;

(ii) To the financing of the project, whether structured as a lease, a loan, an installment sale, a sale with subsequent lease or any combination thereof;

(iii) To establish debt service reserve funds; or

(iv) To advance the payment of interest during the first three (3) years following the date of issuance of the bonds.

(G) *Express Limitations.* The bonds and interest thereon shall be limited obligations of the city, the principal of and interest on which shall be payable solely from the revenue derived from the project, mortgage insurance, casualty or special hazard insurance or other insurance, condemnation proceeds, or other revenues derived from the project; the financing documents or relating to the financing. Neither the bonds nor interest coupons issued under this section shall ever:

(1) Constitute an indebtedness or a charge against the general credit or taxing powers of the city within the meanings of any constitution or charter provision or statutory limitation; or

(2) Constitute or give rise to any pecuniary liability of the city.

On the advice of counsel, it may be plainly stated on the face of each bond that it has been issued under the provisions of this section and that it does not constitute an indebtedness to which the faith and credit of the city is pledged.

(H) *Trust Arrangements.*

(1) Bonds authorized to be issued under the provisions of this section by an ordinance of the city may be secured by a trust agreement by and between the city and a corporate trustee, which may be any trust company, or bank having trust powers, within or without the state. The ordinance may:

- (i) Approve the form of the trust agreement; or
- (ii) Provide that counterparts of that ordinance may be executed by the appropriate parties so as to constitute a trust agreement.

The trust agreement, or the authorizing ordinance, may pledge or assign all or any part of the security. Any such trust agreement or ordinance authorizing the issuance of bonds may contain whatever provisions for the protection and enforcement of the rights and remedies of the bondholders as may be deemed reasonable and proper. The trust agreement may set forth the rights and remedies of the bondholders or the trustee and may restrict the individual right of action by bondholders. In addition to the foregoing, the trust agreement may contain whatever other provisions the council deems reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of the trust agreement or ordinance may be treated as part of the cost of financing a project.

(2) Any holder of bonds issued under this section or of any of the coupons appertaining to those bonds, and the trustee, except to the extent the rights herein given may be restricted by the trust agreement, either at law or in equity, by suit, action, mandamus or other proceedings, may protect and enforce any and all rights under the laws of this state or granted hereunder or in the ordinance authorizing the issuance of the bonds or under the trust agreement, and may enforce and compel the performance of all duties required by this section or in the ordinance authorizing the issuance of the bonds, or by the trust agreement to be performed by the city or by any officer thereof.

(I) *Refundings.* The city may issue new bonds to provide funds for the payment of any outstanding bonds. In accordance with the procedure prescribed by this section, the new bonds shall be secured to the same extent and shall have the same source of payment as the bonds refunded.

(J) *General.* Any financing under this section may provide for such security, documents, agreements, provisions and other matters as the council may deem necessary or appropriate to effect the financing of the project. A transaction under this section shall in no event constitute a capital project within the meaning of any charter or statutory provision. Such financing transaction shall be authorized by ordinance without any referendum or other procedure not

applicable to all ordinances enacted by the city. The provisions of section 55 shall not be applicable to revenue bonds issued pursuant to this section 58. (Char. Am. Reso. No. 1979-3, § 1, 6-11-79.)

Section 58A. Financing Acquisition of Historic District Property.

(a) The city may from time to time borrow money and incur indebtedness for the purpose of financing or refinancing the acquisition of real property, including any interest therein or appurtenant thereto, located within the Greenbelt Historic District as listed on the National Register of Historic Places, such property to be acquired for use as parks, open space and/or the preservation of the city's historic Greenbelt.

(b) An ordinance authorizing indebtedness to be incurred by the city pursuant to this section may provide for such indebtedness to be secured by a mortgage, deed of trust, or other security instrument creating a lien on the property acquired, in whole or in part, with the money borrowed.

(c) The powers conferred by this section are additional and supplemental to the borrowing powers granted to the city elsewhere in this charter and by general law. The provisions of Section 55 shall not be applicable to indebtedness incurred. (Char. Am. Reso. No. 1989-2, § 1, 1-23-90.)

Section 58B. Bond Financing of City Retirement and Pension Programs.

(a) The City may from time to time borrow money and incur indebtedness for the purpose of financing, refinancing or prepaying all or a portion of the costs of the City's retirement or pension plans. The purpose of this borrowing or issuance of indebtedness is to prepay unfunded accrued liabilities or other deficits which now exist or may occur in the future in any of the City's retirement or pension plans.

(b) The powers conferred in this section are additional and supplemental to the borrowing powers granted to the City elsewhere in this Charter and by general law. The provisions of Section 55 shall not be applicable to any indebtedness incurred. (Res. No. 2013-1, 10-29-13.)

Section 59. Contracts over one year.

Contracts involving the payment of money out of the appropriations of more than one (1) year shall be made only by ordinance, and shall not extend for a period of more than ten (10) years; provided that a mortgage contract with the State of Maryland relating to the construction and operation of a federally subsidized housing project for elderly persons may extend for a period of more than forty (40) years. No ordinance for such a contract shall be valid unless notice of the intention to pass the same was published in a daily newspaper or [of] general circulation within the city or posted in the community hall at least ten (10) days days before its passage by council. (Char. Am. Reso. No. 1976-2, § 1, 5-3-76.)

Section 60. Audits.

Each fiscal year an independent audit shall be made of all accounts of the city government by qualified public accountants, selected by the council, who have no personal interest directly or indirectly in the financial affairs of the city government or of any of its officers. The results of this audit shall be published immediately upon its completion. If an audit is required to be made by state officials under the provisions of state law for the inspection and audit of municipal accounts, the council may accept such audit by the state as fulfilling the requirements of this section. (1937, ch. 532, § 58; Char. Am. Reso. No. 96, 8-2-66.)

## Department of Public Safety

### Section 61. Duties of director.

The director of public safety shall be head of the department of public safety and shall be in charge of preserving peace and good order, controlling and maintaining fire protection and performing such other duties as may be prescribed by ordinance. (1937, ch. 532, § 59.)

### Section 62. Police.

It shall be the duty of all policemen employed in the department of public safety to preserve the peace and good order of the city, to arrest without warrant and to take before a justice of the peace, any person found violating any ordinance, resolution or regulation of the city or any law of this state, or on warrant issued on complaint, to arrest any person charged with a violation of any ordinance, resolution or regulations of the city or any law of this state, and to take him before a justice of the peace to be dealt with according to law and, whenever necessary, to place an offender in the city jail until such time as his trial may be held. For the purposes stated in this section, said policemen and the director of the department of public safety are hereby vested with the same powers as are now possessed by constables under the laws of this state but shall receive as fees only the annual compensation fixed by the council. (1937, ch. 532, § 60.)

## Taxes

### Section 63. Tax procedure.

The following procedures shall govern the exercise of the taxing power granted to the council of Greenbelt by section 3(1) of this Charter:

1. *Assessment.* The assessment of taxable real and personal property located within the corporate limits of the city made by the Prince George's County Supervisor of Assessments and the state department of assessments and taxation shall be used as the basis for taxation by the council of Greenbelt.

2. *Date of finality.* The date of finality, semiannual date, and quarterly date of finality for the making of assessments for a taxable year shall be as prescribed by the laws of Maryland.



3. *Levy.* The annual tax levy shall be made by the council within the time prescribed by the laws of Maryland.

4. *Tax year.* The tax year shall be as prescribed by the laws of Maryland.

5. *Tax roll.* Each year as soon after the date of finality as practicable and before taxes become due and payable in each year, the city treasurer shall prepare the tax roll showing the assessed valuation of all real or personal property subject to taxation in the City of Greenbelt, Maryland; such tax roll shall contain a full list of all such real estate and improvements thereon as the same has been valued and assessed, with the owners thereof, the location and description of each piece or parcel of ground so assessed and valued, and shall contain also an alphabetical list of all persons to whom personal property has been assessed, with the amounts of such assessments. The tax roll shall be reviewed as necessary to reflect those changes made by the county supervisor of assessments or state departments [department] of assessments and taxation.

The council shall determine and certify to the city treasurer the rate or rates of taxation applicable to the several classes of property contained in said tax roll.

6. *Collection.* The city treasurer shall then extend the taxes against the taxable property on the tax roll in accordance with the rates certified by the council. The city treasurer shall collect the city taxes, and for the purpose of collecting such city taxes and special assessments, all provisions, rights and remedies now existing or which may hereafter be provided under any general law with reference to municipal taxes are hereby made available to the city treasurer of Greenbelt.

7. *When taxes payable.* All ordinary city taxes shall be due and payable as prescribed by the laws of Maryland.

8. *Tax sales; purchase by city.* Sales of real or personal property for nonpayment of taxes shall be held in accordance with the laws of Maryland. However, the city may bid at any sale of property for taxes, and may purchase any property offered at such sale. (1937, ch. 532, § 61; 1939, ch. 632; 1941, ch. 595; 1949, ch. 583; Reso. No. 6, 2-19-62; Char. Am. Reso. No. 1975-2, § 1, 3-17-75; Char. Am. Reso. No. 1975-5, § 1, 5-5-75; Char. Am. Reso. No. 1976-4, § 1, 5-17-76.)

#### Section 64. Special assessments.

The council may levy and collect special assessments for benefits conferred. The method and procedure for determining the amount to be assessed, the spread and apportionment of the amounts to be assessed, and the boundary and location of the property, lots, district or area to be assessed, for the making and approval of the plans and specifications, for the notices to property owners and other interested parties, for the hearings, for the compensation, organization and procedure of boards or revision or appraisal, for the levy and collection of the assessment and for any and all other determinations, steps, measures, resolutions, ordinances, and actions in relation to the assessment, shall be governed by the provisions of a general ordinance setting forth such

method and procedure, which general ordinance may be enacted by the council and shall be subject to amendment or repeal. (1937, ch. 532, § 63.)

## **Public Utilities**

### Section 65. Franchises.

All public utility franchises and all renewals, extensions and amendments thereof shall be granted or made only by ordinance; no such proposed ordinance shall be adopted until it has been printed in full and until a printed report containing recommendations thereon shall have been made to the council by the city manager, until adequate public hearings have thereafter been held on such ordinance and until at least two (2) weeks after its official publication in final form have elapsed. (1937, ch. 532, § 64.)

### Section 66. Permits.

Permits revocable at the will of the council for minor or temporary public utility privileges may be granted and revoked by the council from time to time; and such permits shall not be deemed to be franchises as the term is used in this Charter. (1937, ch. 532, § 65.)

### Section 67. Accounts.

Accounts shall be kept for each public utility owned or operated by the city, in such manner as to show the true and complete financial results of such city ownership and operation. (1937, ch. 532, § 66.)

## **Miscellaneous Provisions**

### Section 68. Records open to inspection.

All records and accounts of every office and agency of the city shall be open to inspection by any citizen or by any representative of the press at all reasonable times and under reasonable regulations established by the city manager, except records and documents the disclosure of which would tend to defeat the lawful purpose which they are intended to accomplish. (1937, ch. 532, § 67.)

### Section 69. Personal interests.

Any council member, city officer, or employee who has a substantial financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the city, or in the sale of any land, material, supplies, or services to the city or to a contractor supplying the city, shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as a city officer or employee in the making of such sale or in the making or performance of such contract. The council, by ordinance, may establish additional

procedures for the periodic filing of reports disclosing financial interests of council members and the city manager. Any council member, city officer, or employee who willfully conceals such a substantial financial interest, or willfully fails to report such financial information as may be required by ordinance, or willfully violates the requirement of this section, shall be guilty of malfeasance in office or position and shall forfeit his office or position. Violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with or making a sale to the city shall render the contract or sale voidable by the city manager or the city council. (1937, ch. 532, § 68; Char. Am. Reso. No. 1973-4, § 1, 8-13-73.)

#### Section 70. Surety bonds.

The treasurer, the city manager, and such other officers or employees as the council may be [by] general ordinance require so to do, shall give bond in such amount and with such surety as may be approved by the council. The premiums on such bonds shall be paid by the city. (1937, ch. 532, § 69.)

#### Section 71. Oath of office.

Every officer and councilman of the city shall, before entering upon the duties of his office take and subscribe to the following oath or affirmation, to be made before the retiring mayor, or retiring mayor pro tem, a signed copy to be filed and kept in the office of the city clerk:

“I swear (or affirm) 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 according to the Constitution and laws of this state.” (See Note (4))

The mayor shall take the same oath before the clerk of the circuit court for Prince George’s County, or before one of his sworn deputies. (1937, ch. 532, § 70.)

#### Section 72. Legal defense of city officials and employees.

The city may provide for proper legal defense of its officials and employees when they are parties to suits arising from the lawful performance of their official duties. The city solicitor may be used in this defense or the city council may provide special legal counsel when it would not be appropriate or convenient for the city solicitor to conduct the defense. The city council may appropriate funds to defray the costs of any such special legal defense, including the costs of insurance policies or other programs offering such protection. (Char. Am. Reso. No. 1977-3, § 1, 3-7-77.)

#### Section 73. Elderly housing enterprise.

The elderly housing facility owned by the city shall be operated as a separate enterprise of the city government. The city council shall serve as the board of directors and may adopt such regulations as may be necessary to govern its operation. The city manager shall serve as general

manager and shall be authorized to enter into such contracts and undertake such administrative actions as may be necessary to assure the efficient operation of the facility and the well-being of its residents. The city treasurer shall serve as comptroller and chief fiscal officer and shall administer such accounts as may be placed under city control and provide continuing review of such accounts as may be administered by others. The council may contract for the management operations of the facility and may delegate to the contract manager such responsibilities as it may deem appropriate. This enterprise as relates to operations supported by revenues realized by the enterprise operation shall not be subject to the provisions of this charter relating to budgeting, appropriations, personnel or purchasing; provided, however, that council shall establish such regulations as it may deem appropriate to regulate the operation in the absence of these Charter provisions; and further provided that the operation of this facility shall comply with all regulations of the Maryland Community Development Administration and the United States Department of Housing and Urban Development. (Char. Am. Reso. No. 1979-1, § 1, 1-8-79.)

#### Section 74. Separability.

Notwithstanding any other evidence of the legislative intent, it is hereby declared to be the legislative intent that if any provision of this subtitle, or the application thereof to any person or circumstances, is held invalid, the remainder of the subtitle and the application of such provision to other persons or circumstances shall not be effected (See note (3)) thereby. (1937, ch. 532, § 71; Char. Am. Reso. No. 1977-3, § 1, 3-7-77; Char. Am. Reso. No. 1979-1, § 1, 1-8-79.)

## NOTES

(1) Section 2 of chapter 583 of Acts 1949 provided as follows: “Sec. 2. And be it further enacted, that from and after June 1, 1949, the corporate name of said City shall be the City of Greenbelt, Maryland, and when the term “town” or any other term in reference to said city is used in any public local or public general law of this state, or in any resolution, ordinance or regulation of a political subdivision thereof, the same shall be considered as replaced by the term “City of Greenbelt, Maryland”; and from an [and] after June 1, 1949, the term “City of Greenbelt, Maryland,” shall be used to describe and designate the said municipality, its powers, functions, officers and employees.”

(2) The “Baltimore–Washington Highway” referred to in this section is now commonly known as the “Baltimore–Washington Parkway.” “Branchville–Glendale Road” is now commonly known as “Greenbelt Road.”

(3) The word “affected” was probably intended.

(4) The phrase “execute the office of ..... according to” was probably intended.

(5) The first sentence in Section 18(d) is portrayed as in Resolution No. 1990–1, omitting the word “list” after “registration”.