

TELEPHONE POLL
May 1, 1951

155

A poll was taken of the members of Council on May 1, 1951, regarding the proposal to change the name of Boyd Avenue, from Lincoln Avenue to Elm Avenue, to Lincoln Avenue; also, change Boyd Court to Lincoln Court. The change was adopted with a vote recorded as follows:

Councilman Eccleston - In favor of change.
Councilman Klinck - Could not contact
Councilman McClenon - On vacation
Councilman Oosterhous - In favor of change
Councilman Parkhill - In favor of change
Councilman Perring - In favor of change
Councilman Tymeson - In favor of change

Clerk and Treasurer

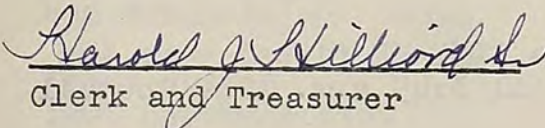
Mayor

TELEPHONE POLL
May 11, 1951

Zoning Amendment Petition No. A-1676, requesting the reclassification of Lots 27 and 28, Block 27, B. F. Gilbert's Subdivision, from the C-1 (local commercial) Zone to the C-2 (general commercial) Zone, was presented at the Regular Meeting of April 23, 1951. Action on this petition was deferred for further investigation. On May 11, 1951, a telephone poll was taken, and the vote recorded as follows:

Councilman Eccleston - Opposed this petition
Councilman Klinck - In favor of this petition
Councilman McClenon - Opposed this petition
Councilman Oosterhous - Opposed this petition
Councilman Parkhill - In favor of this petition
Councilman Perring - In favor of this petition
Councilman Tymeson - In favor of this petition

A letter was forwarded to the Park and Planning Commission recommending the approval of this petition.


Clerk and Treasurer

Mayor

SPECIAL MEETING
MAYOR & COUNCIL
May 16, 1951

The meeting was called to order at 7:45 p.m. Those present: Mayor Beville, Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson.

A letter addressed to the Mayor from the Community League was read to the Council by the Clerk. This letter proposed certain recommendations and suggestions in regard to the budget.

Mayor Beville then read a letter addressed to him from the Potomac Conference of the Seventh-Day Adventists dated May 10, 1951, in which they agreed to dedicate to the City a 10 foot strip on Laurel Avenue and a 10 foot strip on Carroll Avenue for the purpose of widening these two strips at such time as the Council felt this to be desirable.

Councilman McClemon made a motion that the Mayor write a letter to Mr. W. H. Branson, President of the General Conference of the Seventh-Day Adventists, thanking him for this dedication, and advising that it is the sincere desire of the City to cooperate with their organization in every way possible; also that surveys have been made by the City and will be available to him whenever they are needed for the preparation of the dedicatory deeds.


A letter was read by the Clerk from the Potomac Conference of the Seventh-Day Adventist dated May 13, 1951, requesting the privilege of erecting tents for a camp meeting on the college campus. The Council approved this request provided the Seventh-Day Adventist would police their own encampment and comply with the sanitary and health regulations of Montgomery County.

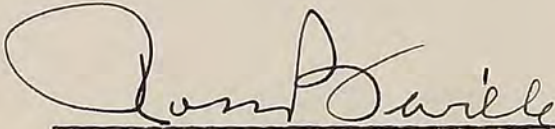
Councilman Klinck presented to the Council the matter of the unsatisfactory work done by the F. O. Day Company in connection with the improvement of Lincoln, Hancock and Sheridan Avenues. The Council directed the Treasurer not to pay any additional funds to this Concern until such time as same was authorized by the Council. Councilman Klinck then recommended that if no satisfactory agreement is made with the F. O. Day Company within a short time that the matter be submitted to the Bonding Company for their information. This was approved.

The Council directed the Clerk to cancel, effective immediately, all \$50.00 or \$100.00 deductible collision insurance that may now be in effect.

Upon motion of Councilman McClenon, the Council authorized Mr. Hilliard to make whatever adjustment in the budget necessary to balance same.

The matter of the proposed budget for the 1951-52 fiscal year was presented to the Council and was discussed until 1:45 a.m. The Council adjourned 1:50 a.m.


Clerk and Treasurer


Mayor

EXECUTIVE MEETING
MAYOR AND COUNCIL
May 21, 1951

The meeting was called to order at 8:10 p. m. Those present: Mayor Beville, Councilmen Eccleston, Klinck, McClenon, Parkhill, Perring and Tymeson. Absent: Councilman Oosterhous

LAW AND ORDINANCE: Councilman McClenon asked that a study be made of the fluoridation of water within this area and report back to the Council.

PUBLIC SAFETY: Councilman Perring moved that the following men be appointed by the Mayor and Council to serve in their respective capacity as Special Police Officers and Special Radio Technician:

Jerome B. Bodnick,
403 Lincoln Ave.

Edward Roccati,
1302 Erskine Ave.

Kenneth Foresman
7111 Central Ave.

Charles Staffer,
902 Davis Ave.

Fred C. Hobermale
706 Devonshire Ave.

Clifford Walderman
600 Elm Ave.

J. E. Lea
422 Ethan Allen Ave.

Gordon Clark
7208 Central Ave.

Warren J. Magner
406 Maple Ave.

Edward W. Hill
7209 13th Place

Reid N. Painter
703 Devonshire ave.

Robert O. Kidd
6602 Cockerille Ave.

A. E. Smith
412 Lincoln Ave.

Joseph Loeffler
6608 Cockerille Ave.

Hoerd Waddell
1000 Hopewell Ave.

Henry J. Myers
606 Elm Ave.

Heister K. Bucker
7209 13th Place

Joseph Schletcherr
401 Lincoln Ave.

Harold Hennegar
430 Ethan Allen Ave.

Oliver W. Youngblood
123 Maple Ave.

James Hustep
1008 Hopewell Ave.

Gerald D. White
6609 Cockerille Ave.

Gordon H. Lester
904 Jackson Ave.

Curtis Kight
25 Takoma Ave.

Henry McDermott
820 Davis Ave.

James P. Doten
509 Greenwood Ave.

Blair D. Hattersly
7414 Piney Branch Rd.) Special Radio Technician

Councilman Eccleston seconded the motion.

Upon being put to question the motion was carried.

It was suggested that the Special Police Officers who have not as yet received badges, just receive identification cards at the present and then at the end of a year if their work proves satisfactory be given badges.

Councilman Perring moved that the policy of the Council be that all Special appointees or other category of Civil Defense be issued card in certification thereof, and upon evidence of their interest and ability to perform their work, to be issued other equipment or means of identification.

Councilman Eccleston seconded the motion.

Upon being put to question the motion was carried.

Councilman Perring requested that the Mayor appoint the other member to the Police Trial Board, which consists of the Mayor, Chairman of the Police Committee and one citizen.

In this connection ex-Mayor John C. Post was named and Councilman Perring moved that John C. Post be appointed as a member to serve on the Police Trial Board.

Councilman Eccleston seconded the motion.

Upon being put to question the motion was unanimously carried.

Mayor Beville referred to the letter from Hampshire Greens Community Association of Takoma Park regarding the permission of the Council for them to continue to maintain a room at 8 Columbia Avenue for the kindergarten.

Councilman Perring moved that they be advised that the building will not be available next year and that we regret to have to turn down their application.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

PUBLIC WORKS: Councilman Klinck brought up the question of the drainage problem referred to in Mr. Fowler's letter of May 15, 1951. Councilman Klinck explained that this matter had been investigated some time ago and that Mr. Fowler had been advised that the work could be done by the City at a 50-50 basis, but that Mr. Fowler had stated that if it was going to cost him anything he was not interested. In order that this matter might be straightened out, Councilman Klinck recommended that Mr. Thomas again contact Mr. Fowler and see what definite arrangements might be accomplished.

Councilman Klinck brought up the matter of the installation of curb and paving for Dr. Ernest A. Sarao, to be done at the expense of Dr. Sarao. It was suggested that a contract be drawn up and submitted to the Council at its next meeting.

Councilman Klinck also brought up the question of storm drainage problem on the property of Dr. Sarao, which was also explained in Dr. Sarao's letter. Dr. Sarao suggested that the expense of this storm drainage be borne by Mr. Glaize, the City of Takoma Park and himself. It was stated that Mr. Glaize has not as yet made a definite agreement to the 1/3 of the estimated cost.

Mr. F. O. Day addressed the Council regarding the unsatisfactory work performed on the paving of Hancock and Sheridan Avenues. He stated that he felt that the fault was due to the laying of asphalt too soon after the gravel was laid. Mr. Day stated that he did not feel that it was entirely his fault as he had been advised by the Superintendent of Public Works, Mr. Hegarty, that the street was in condition to be paved.

Following a very lengthy discussion on this question, the Mayor suggested that each Councilman look further into this matter and if possible for each to visit and inspect the area in question in order to come to a definite decision in the matter.

There being no further business to come before the Council, upon motion properly seconded and carried, the meeting adjourned at 9:30 p. m. and Council went into Closed Session.

Harold J. Hilliard

Clerk and Treasurer

Robert D. Seville

Mayor

MAYOR AND COUNCIL
REGULAR MEETING
May 28, 1951

The meeting was called to order at 8:00 P. M. Those present; Mayor Beville, Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson.

Councilman McClenon moved that we dispense with the reading of the minutes of April 23rd and May 21, 1951.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

The Clerk and Treasurer presented the Financial Statement for the month of April as follows:

FINANCIAL STATEMENT

			Revenue to 4/30/51	Est. Budg. to 6/30/51	Total Budget
Cash on Hand-Citizens Bank	28171.67				
3/31/51 Sub. "	14117.84				
	<u>42289.51</u>				
<u>REVENUES</u>					
1.11 General Taxds	5549.58		255158.87	11321.13	266480.00
2.0 Licenses & Per.	2644.32		17229.30	2935.70	20165.00
3.1 Fines & For- feitures	38.00		778.20	421.80	1200 .00
4.1 Use of Money & Property	.00		15.00	195.00	210.00
5.1 Revenues other sources	55.87		10172.35	5432.65	15605.00
6.1 Service Chg. current Serv.	213.00	8500.77	1060.50	89.50	1150.00
Bak Bal. 4/30/51		50790.28	284414.22	520395.78	304810.00
4/30/51 Citizen Bank	16023.77				
4/30/51 Sub. Bank	<u>14117.84</u>				
Bank Bal. 4/31/51	<u>30141.61</u>				

SPECIAL IMPROVEMENT ACCOUNT

161

3/31/51	Bal. Citizen Bank	6033.60
	Dep. during Apr.	
	1951	<u>2032.90</u>
		8066.50
No withdrawals during		
Apr 1951		<u>.00</u>
4/30/51	Bal. Citizen Bank	8066.50

COMMUNICATIONS: Letter from Herbert D. Smith asking that the matter of Zoning Petition No. A-1684 for Lots 1 & 7, Block 35, B. F. Gilbert's Subdivision, be tabled. After quite a lengthy discussion between Mr. Smith and Mr. S. Michael Derato, President of Lincoln Valley Citizens' Assn., regarding this matter Councilman Oosterhous made motion authorizing the Clerk to write a letter to the County Commissioners stating that the City Council shall consider the application and that they request more time to go into this matter and ask postponement of any decision until such time as the City Council has had an opportunity to arrive at a conclusion to the problem.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Letter from Frank W. Lewis, expressing thanks in behalf of the Takoma Park unit, Prince George's County Boys Club for extending the use of the gym during the past basketball season.

Letter from Rev. Edw. R. Bley, pastor, Zion Evangelical Lutheran Church expressing their appreciation for the service rendered by the Takoma Park Police during their recent cornerstone laying ceremony. Public Safety File.

Letter from Rev. H. R. Hodgson, pastor, Grace Methodist Church expressing thanks for the installation of light on Kentland Avenue.

Letter from Chief Orme, of Montgomery County Police Department commending Officer Flynn for assisting the County police in tracing and arresting occupants of an escaped motor vehicle who were reported to be stealing building materials. Public Safety File.

Letter from James I. Humphrey commending Officer Flynn for his gentlemanly conduct during the conduct during the time Officer Flynn arrested Mr. Humphrey for speeding. Public Safety File.

Letter from L. W. Roger Fowler regarding a drainage problem which has been under consideration. Referred to Public Works Committee.

Copy of petition sent in from Arlington County, Va. Public Utilities Commission filed May 1, 1951 which asks the Commission to investigate and take necessary action to insure efficient and adequate passenger transportation throughout the metropolitan area. Also asking that the City Council join in this supplemental petition. Referred to Corporation Council, for recommendation.

Petition from residents of dwellings near Carroll, Lockney and Hammond Avenues and adjacent properties requesting remedial action be taken to correct an unhealthy condition existing on the small triangle of undeveloped land bounded by Carroll and Merrimac Avenues and University Lane. Also a strip of undeveloped land between Merrimac and Ann Ave., parallel to University Lane back of the properties on Hammond Avenue. Referred to a Special Committee, consisting of Chairman of Public Works and Public Welfare Committees.

OPEN MEETING: Mr. Caplan, 1007 Sligo Creek Parkway, addressed the Council regarding the no-parking on the service drive problem. He stated that he knew nothing of the other service drives but was speaking principally of Heather Avenue service drive, which he suggested would be more satisfactory if the parking on the south side be prohibited rather than on the north side.

Mr. Geo. H. Krauss, 8123 Carroll Avenue, addressed the Council asking if his service drive would be effected. Councilman Perring answered that that was also one under consideration.

Mrs. Vera Hash, 424 Lincoln Avenue, addressed the Council expressing her thanks and appreciation for the use of the gymnasium during the winter months for activities of the Takoma Park Recreation Committee.

Mr. Taylor, 7604 Wildwood Drive, addressed the Council asking if any decision had been made as to whether the kindergartens who are meeting at 8 Columbia Avenue would be permitted to remain next year. Mayor Beville advised him that letters had gone out to the teachers of each class advising them of the decision. Councilman Parkhill also stated that he had contact with some of Prince George's County people with whom he was working trying to secure a place for them to hold their school classes.

Mr. Mohr, 217 Spring Avenue addressed the Council asking if he might be permitted to speak on the Budget. Mayor Beville advised him that if it was questions to wait until the hearing on June 12, 1951 but if recommendations they would be accepted. Mr. Mohr stated it was a recommendation and he would write it up and hand in to the Council for study before the hearing.

Mr. Krauss, 8123 Carroll Avenue, addressed the Council, explaining the area covered by the petition which was signed by 68 citizens regarding the unhealthy condition on the small triangle of undeveloped land bounded by Carroll and Merrimac Avenues and University Lane. Also a strip of undeveloped land between Merrimac and Ann Avenue parallel to University Lane back of the properties on Hammond Avenue.

EXECUTIVE SESSION: CIVIC IMPROVEMENT COMMITTEE: Councilman Oosterhous brought up the matter of \$35.00 being appropriated to the Takoma Park Recreation Committee which together with the \$162.00 already used for equipment would not quite net the \$200.00 appropriated thru a motion made last spring. After a very lengthy discussion on this matter Councilman Perring moved that the matter be referred to the Finance Committee for further study.

Councilman McClenon seconded the motion.

The motion was carried with a roll call vote as follows: Yeas, Councilmen Klinck, McClenon, Perring and Tymeson Nays: Councilmen Eccleston, Oosterhous and Parkhill

At this point Mayor Beville stated he wanted it to go on record as his being completely opposed to the action taken on this question.

Councilman Oosterhous moved the adoption of the following Ordinance:

ORDINANCE NO. 1053

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT the Plat of the resubdivision of the land conveyed by Sarah I. McCallum surviving tenant by the entirety of her husband Archibald R. McCallum to Milton Isen by deed dated April 20, 1951 and recorded in Liber-- at Folio-- and also a resubdivision of Lots 5, 6 and 7, Block 67 as recorded on a plat of TPL & T Co. Subdivision of Takoma Park in Plat Book B as Plat 23 all among the Land Records of Montgomery County, Maryland, also shown as Lots 75 to 86, Block 67, TPL & T Co., Subdivision; and that iron piped shown thus 0 and stones marked thus 0 are in place where shown.

Section 2 THAT the foregoing plat be accepted by the City of Takoma Park when the Maryland National Capital Park & Planning Commission approves the plat and affixes the signature of the secretary and treasurer thereon.

Councilman Klinck seconded the motion.

Upon being put to vote the ordinance was passed by roll call vote recorded as follows: In favor- Councilmen Eccleston, Klinck, McClenon, Oosterhous, Perring, Parkhill and Tymeson. Nays: none

The petition sent in from Arlington County, Va. Public Utilities Commission which asks the Commission to investigate and take necessary action to insure efficient and adequate passenger transportation throughout the metropolitan area was presented. Mayor Beville stated that he and Councilman Oosterhous had discussed a similar plan. Regarding this matter Councilman Perring moved that this petition be approved in principle and that it be referred to the Corporation Counsel for advice on the means of legal procedure.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Councilman McClenon moved that the Mayor be authorized to sign any papers in this connection that the Corporation Counsel recommends him to sign.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

PUBLIC SAFETY: Councilman Perring moved the adoption of the following ordinance:

ORDINANCE NO. 1054

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT, parking be prohibited on service drives - Albermarle Avenue, unit block of Boyd Ave., 400 block of Carroll Avenue and 8400 block of Piney Branch Road.

Section 2. AND that the Public Works Department be directed to proceed with the erection of signs necessary to enforce this ordinance.

Section 3. AND further provides that the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Tymeson seconded the motion.

Upon being put to vote the Ordinance was passed by a roll call vote as follows: In favor- Councilmen Eccleston, McClenon, Klinck, Oosterhous, Parkhill, Perring and Tymeson. Nays: none

Councilman Perring moved the adoption of the following ordinance:

ORDINANCE NO. 1055

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT parking be prohibited on the West side of the 8100 and 8200 block of Carroll Avenue Service Drive and on the East side of 6900 block of New Hampshire Avenue Service Drive.

Section 2. AND further, that the penalties for the violation of this ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Eccleston seconded the motion.

Upon being put to vote the ordinance was passed with a roll call vote recorded as follows:
In favor- Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson. Nays; none

Councilman Perring moved the adoption of the following ordinance:

ORDINANCE NO. 1056

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT "stop signs" are to be erected coming into Takoma Avenue at intersection of Boston, Chicago, Albany, Buffalo and Baltimore Avenues.

Section 2. AND that the Public Works Department be directed to proceed with the erection of signs necessary to enforce this ordinance.

Section 3. AND further, that the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Parkhill seconded the motion.

Upon being put to vote the ordinance was passed by a roll call vote recorded as follows: In favor- Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill and Perring and Tymeson. Nays: none

Councilman Perring moved the adoption of an Ordinance for "no parking" on either side of Hancock Avenue between Grant and Sherman Avenues.

Councilman Parkhill seconded the motion.

The motion failed with a roll call vote recorded as follows:
Yeas: Councilmen Eccleston, Parkhill and Perring Nays: Councilmen
Klinck, McClenon, Oosterhous and Tymeson.

Councilman Perring moved the adoption of the following Ordinance:

ORDINANCE NO. 1057

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT parking be prohibited on West side of Piney Branch Road from 7:00 to 9:00 A.M. and on East side from 4:00 to 6:00 P. M.

Section 2. AND further, that the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Tymeson seconded the motion.

Upon being put to vote the ordinance was passed by a roll call vote recorded as follows: In favor-Councilmen Eccleston, Klinck, McClenon, Oosterhous, Parkhill, Perring and Tymeson.
Nays: none

PUBLIC WORKS COMMITTEE: Councilman Klinck informed the Council that the plans for the widening of Carroll Avenue were being prepared by Mr. McNeill and that they could be ready by June 6th.

Councilman Klinck advised the Council that the Washington Suburban Sanitary Commission had advised that the matching funds would be available shortly after July 1st for the drainage project on Second Avenue and in this respect Councilman Klinck moved that the City Clerk be authorized to advertise for bids according to the specifications as set forth at the public hearing last year for the paving and storm drainage on Second Avenue.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

Councilman Klinck made mention of the progress of work to be done on the Maple Avenue bridge stating that he and Mr. Thomas had a very interesting meeting with Mr. Gilbert of Washington Suburban Sanitary Commission concerning this problem.

Regarding the unsatisfactory condition of the work done by F. O. Day Co. on Hancock Avenue, Councilman Klinck moved that the Francis O. Day Co. be informed that it is the opinion of this Council that Hancock Avenue paving condition be rectified by making sub-grade and pavement improvements according to the requirements of the Superintendent of Public Works Department and that the entire surface of Hancock Avenue then be surfaced with 1" sand asphalt surface. The entire cost of same to be borne by the contractor because of the unsatisfactory conditions existing after the conclusion of the previous work. All of this work to be done according to specifications as set forth by the Superintendent of Public Works Department, these specifications to cover all paving work, surface materials and workmanship.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

FINANCE COMMITTEE: Councilman Tymeson moved the approval of the bills in the amount of \$6420.95.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Councilman Tymeson moved that \$35.00 for the Takoma Park Recreation Committee be approved for payment and charged against next year's budget.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried.

Councilman Tymeson brought up the matter of bill received from Mr. McNeill for \$905.00 and after considerable discussion was referred to Finance Committee for further study.

Mayor Beville announced the convention of the Maryland Municipal League to be held at Ocean City, Maryland on June 15 and 16 and urged all councilmen who possibly could to attend.

Regarding the new water cooler which was installed in the gym, Councilman Perring moved that the Superintendent of Public Works be instructed to remove the water cooler and return to the company from which it was purchased with no other obligation to the City.

Councilman McClenon seconded the motion.

Upon being put to question the motion was carried with Councilman Oosterhous voting nay.

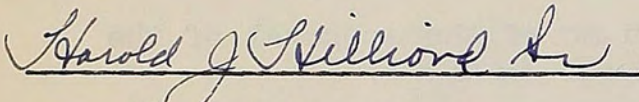
The matter of who would be the proper persons to be in charge of ordering was discussed. It was suggested that instead of several persons being responsible for ordering within their respective departments that there should be one person to do it all, preferably

the City Clerk. In this respect Councilman McClenon moved that this matter be referred to the Finance Committee for further study and report.

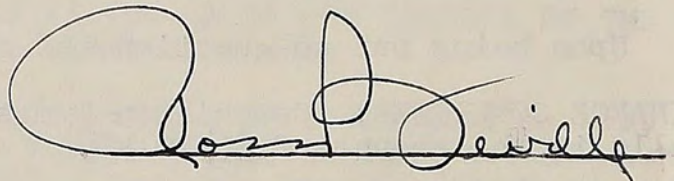
Councilman Perring seconded the motion.

Upon being put to question the motion was carried.

There being no further business to come before the Council upon motion properly seconded and carried, the meeting adjourned at 11:30 p. m.



Clerk & Treasurer



Mayor

CHAPTER NO. 236

A BILL ENTITLED

AN ACT to repeal Sections 1192, 1193 (D) and 1194 of the Montgomery County Code (1947 Edition, being Sections 104.7, 104.8d and 104.9 of the 1950 Edition) and Sections 1298, 1299 (D) and 1300 of the Prince George's County Code (1943 Edition), being Articles 16 and 17 of the Code of Public Local Laws of Maryland, titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park," Section 1194, having been amended by Chapter 334 of 1949, and to enact a new section in lieu thereof, to be known as Section 1192 of the Montgomery County Code (1947 Edition and Section 104.7 of the 1950 Edition) and Section 1298 of the Prince George's County Code, creating the office of City Manager in the City of Takoma Park, prescribing his powers and duties; providing for the establishment of departments and offices in the City Government, and relating to their powers and duties; relating to the financial affairs of the City; and providing for a referendum thereon.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land, That Sections 1192, 1193(D) and 1194 of the Montgomery*
3 *County Code (1947 Edition, being Sections 104.7, 104.8d and*
4 *104.9 of the 1950 Edition) and Sections 1298, 1299(D) and*
5 *1300 of the Prince George's County Code (1943 Edition, be-*
6 *ing Articles 16 and 17 of the Code of Public Local Laws of*
7 *Maryland), titles "Montgomery County," and "Prince George's*
8 *County," sub-title "Takoma Park," Section 1194 (1298) having*
9 *been amended by Chapter 334 of the Acts of 1949, be and they*
10 *are hereby repealed and that a new section, to be known as*
11 *Section 1192 (104.7), (1298), be and it is hereby enacted in*
12 *lieu thereof and to read as follows:*

1 1192 (104.7) (1298). *Administrative and Fiscal Structure.*

2 A. *(The City Manager.) The Council shall appoint an officer*
3 *whose title shall be City Manager and who shall be the chief*
4 *executive officer and the head of the administrative branch of*
5 *of the City government. The City Manager shall be chosen by*
6 *the Council on the basis of his executive and administrative*
7 *qualifications, with special reference to his actual experience*
8 *in, or his knowledge of, accepted practice in respect to the*
9 *duties of his office as hereinafter outlined. At the time of his*

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike-out~~ indicates matter stricken out of bill.

10 appointment he need not be a resident of the City or State, but
11 within a reasonable time after taking office he shall reside
12 within the City of Takoma Park. No person elected as Mayor
13 or Councilman shall be eligible for appointment as City Man-
14 ager until one year has elapsed following the term for which
15 he was elected. The City Manager, with the consent of the
16 Council, may designate some other officer or employee of the
17 City to perform his duties in case of his absence or disability.

18 The City Manager may be removed at any time by a vote of
19 not less than a majority of all the members of the Council. He
20 shall be furnished with a formal statement in the form of a
21 resolution passed by a majority vote of the Council, setting
22 forth the reasons for his removal. The City Manager shall be
23 entitled to file in the records of the City a formal reply to the
24 Council's statement.

25 B. (Duties of the City Manager.) 1. (In general.) It shall
26 be the duty of the City Manager to supervise and be responsible
27 to the Council for the administration of the affairs of the City;
28 to see that the ordinances of the City and the laws of the State
29 and of Montgomery or Prince George's County are enforced
30 within the corporate limits of the City; to make to the Council
31 such recommendations concerning the affairs of the City as
32 may seem to him desirable; to keep the Council advised as to
33 the financial condition of the City and its future needs; to pre-
34 pare and submit to the Council such reports as may be required
35 by that body; to supervise all administrative officers of the
36 City other than the Corporation Counsel; and to perform such
37 other duties as are prescribed by this charter or as may be
38 required of him by ordinance or resolution of the Council not
39 inconsistent with this charter.

40 2. (Purchases and Contracts.) It shall be the duty of the
41 City Manager to control the purchase, storage and distribu-
42 tion of all supplies, materials, equipment and contractual serv-
43 ices required by the City; to establish and enforce standard
44 specifications with respect to such supplies, materials and
45 equipment, and to ascertain their quality, quantity and con-
46 formance to specifications; and to transfer to or between City
47 offices or departments or with the approval of the Council to
48 rent or sell surplus, obsolete or unused supplies, materials and
49 equipment. Before making any purchase or contract for sup-
50 plies, materials, equipment or contractual services, oppor-
51 tunity shall be given for competition, under such rules and
52 regulations, and with such exceptions, as the Council may by
53 ordinance prescribe. Every contract involving a total expendi-
53a ture by the City of ~~\$2,500.00~~ \$1,500.00 or more shall be ap-
53b proved by the Council; ANY CONTRACT ENTERED INTO
53c IN VIOLATION OF THIS PROVISION SHALL BE NULL
54 AND VOID, UNLESS LATER EXPRESSLY RATIFIED
55 BY THE COUNCIL.

56 3. (Departments and Offices.) The administrative branches
57 of the City government shall include the departments of finance,
58 police, fire, and public works, and the office of the Corporate
59 OFFICES OF THE CITY CLERK AND CORPORATION
60 Counsel, except that the Council may by ordinance (a) combine
61 any of the above; (b) create such additional departments or
62 offices as may be needed; (c) provide that the City Manager
62a shall without additional pay perform the functions imposed on
63 the head of any one or more of the various departments or
64 offices; or (d) amend or repeal any ordinance adopted under
65 the authority herein granted. The Council shall not have power

66 to discontinue any function or duty assigned by this charter
67 to any department or office, or to assign any such function or
68 duty to any other department or office except as provided in
69 clause (a) of this paragraph. The City Manager shall be re-
70 sponsible to the Council for the proper administration of all
71 departments and offices of the City government, except the
72 office of the Corporation Counsel.

73 4. (Personnel.) The officers and employees of the City, other
74 than the Mayor and Councilmen, shall be appointed and may
75 be removed as follows:

76 (a) the City Manager and the Corporation Counsel, by the
77 City Council;

78 (b) ~~other~~ THE CITY CLERK AND heads of departments,
79 by the City Manager, with the consent of the Council; pending
80 action by the Council, the City Manager may suspend the head
81 of any department from active duty, but must report such
82 action, with his reasons therefor, to the next meeting of the
83 Council, which may confirm the suspension or reinstate such
83a officer;

84 (c) all other officers and employees, by the City Manager,
85 subject to the following provisions.

86 All appointments shall, under a merit system established by
87 ordinance, be made on the basis of executive and administra-
88 tive ability or of training, experience and fitness with respect
89 to the work to be performed. All appointments, except in the
90 case of temporary or emergency service, shall be without definite
91 term. No discrimination shall be made in favor of or against
92 any employee or applicant for appointment on account of
93 political or religious opinions or affiliations or membership or
94 nonmembership in any lawful organization.

95 The Council shall by ordinance prescribe the compensation
96 of all officers covered by clauses (a) and (b) of this paragraph,
97 and shall classify all positions covered by clause (c), and
98 establish a schedule of maximum and minimum compensation
99 rates for each class, which rates shall be uniform for like serv-
100 ices in the different departments and offices. Subject to such
101 schedule, the City Manager shall fix the compensation of each
102 employee on the basis of his performance, including such fac-
103 tors as length and character of service.

104 Any employee removed by the City Manager shall have the
105 right of appeal to a board of appeals of not less than three
106 members named by the Council, which board shall report to the
107 Council its opinion as to whether or not the removal was justi-
108 fied; the Council shall have power to direct the reinstatement
109 of the employee.

110 C. (Prohibitions.) Neither the Mayor nor any Councilman
111 shall, during the term for which he was elected, be appointed
112 to any office or position in the service of the City. No ap-
113 pointive officer or employee of the City shall continue in such
114 position after becoming a candidate for election to any City
115 office. No appointive officer or employee of the City shall take
116 an active part (other than voting) in any election for Mayor
117 and Council. No person seeking appointment to or promotion
118 in the service of the City shall either directly or indirectly
119 give, render, or pay any money, service, or other valuable thing
120 to any person for or on account of or in connection with his
121 appointment, proposed appointment, promotion, or proposed

122 promotion. Neither the Mayor nor any Councilman nor any
 123 officer or employee of the City shall have a financial interest,
 124 direct or indirect (except as a stockholder owning less than
 125 10 per cent of the stock of a corporation), in any contract with
 126 the City or be financially interested, directly or indirectly, in
 127 the sale to the City of any land, materials, supplies or services;
 128 any violation of this provision, with the knowledge, express or
 129 implied, of the person or corporation contracting with the City,
 130 shall render the contract voidable by the City Manager or the
 131 Council. Neither the Mayor nor any Councilman shall give
 132 orders to any subordinate of the City Manager. Any willful
 133 violation of any provision of this subsection shall constitute
 134 malfeasance in office, and any officer or employee found guilty
 135 thereof shall thereby forfeit his office or position. The Corpora-
 136 tion Counsel shall prosecute all violations of this sub-section.

137 D. (Rights of Manager and Other Officers in Council Meet-
 138 ings.) The City Manager, the Corporation Counsel, and all
 139 other officers of the City shall have the right to attend all
 140 regular meetings of the Council. The City Manager shall have
 141 the right to take part in the discussion of all matters coming
 142 before the Council; heads of departments and agencies shall
 143 have the right to take part in all discussions of the Council
 144 relating to their respective departments and agencies.

145 E. (Investigations by Council or City Manager.) The Coun-
 146 cil, the City Manager, or any person or committee authorized
 147 by either of them for the purpose, shall have power to inquire
 148 into the conduct of any office or appointed officer of the City
 149 and to make investigations as to municipal affairs, and for that
 150 purpose may demand the production of books, papers and
 151 other evidence. Failure to produce the books, papers or other
 152 evidence so demanded shall constitute a misdemeanor and shall
 153 be punishable by a fine of not over one hundred dollars or by
 154 imprisonment for not over thirty days, or both.

155 F. (DUTIES OF THE CITY CLERK.) THE CITY CLERK
 156 SHALL KEEP MINUTES OF THE PROCEEDINGS OF
 157 THE COUNCIL, AND SHALL PRESERVE THE SAME IN
 158 A GOOD AND SUBSTANTIAL MANNER; HE SHALL BE
 159 THE CUSTODIAN OF THE RECORDS OF THE CITY;
 160 AND SHALL PERFORM SUCH OTHER DUTIES AS THE
 161 COUNCIL MAY BY ORDINANCE PRESCRIBE OR THE
 162 CITY MANAGER MAY DIRECT.

1 G. (Qualifications and Duties of Corporation Counsel.) The
 2 Corporation Counsel shall be appointed by the Council and
 3 shall serve at its pleasure. His compensation shall be fixed by
 4 the Council. He shall be an attorney at law who shall have
 5 been admitted to practice before the Maryland Bar, but need
 6 not be a resident of Takoma Park. He shall be the chief legal
 7 adviser and attorney for the City and all officers thereof in
 8 matters relating to their official powers and duties. It shall be
 9 his duty to perform all services incident to his office; to attend
 10 all meetings of the Council, except when excused by the Mayor
 11 from so attending; to give advice in writing, when so re-
 12 quested, to the Council or the City Manager; to prosecute or
 13 defend, as the case may be, all suits or actions to which the
 14 City may be a party; to prosecute all offenses against the ordi-
 15 nances of the City and such offenses against the laws of the
 16 State or County as may be required of him by law or by
 17 direction of the City Council; to prepare all contracts, bonds
 18 and other written instruments in which the City is concerned,
 19 and to endorse on each his approval of the form and correct-

20 *ness thereof; and to perform such other duties of a legal nature*
21 *as the Council may by ordinance require.*

22 *H. (Powers and Duties of Head of Finance Department.)*
23 *The head of the Finance Department shall be responsible to the*
24 *City Manager for the administration of the financial affairs of*
25 *the City, and to that end he is authorized and directed:*

26 *1. To prepare the budget under the direction of the City*
27 *Manager, as hereinafter outlined, and to assist the City Mana-*
28 *ger in the administration of the budget after its approval by*
29 *the Council.*

30 *2. To maintain accounting control over the finances of the*
31 *City government in accordance with law, and perform such*
32 *other duties pertaining to the financial records of the City*
33 *government as the Council may by ordinance prescribe or the*
34 *City Manager may direct.*

35 *3. To collect, receive, have custody of, and disburse all taxes,*
36 *assessments, licenses, fees and other moneys accruing to or be-*
37 *longing to the City, subject to the provisions of this charter*
38 *and ordinances enacted hereunder; to have custody of all in-*
39 *vested funds of the City or in possession of the City in a fiduci-*
40 *ary capacity, and to keep a record of such investments, and to*
41 *have custody of all bonds and certificates of City indebtedness,*
42 *including such bonds and certificates unissued or canceled, and*
43 *the receipt, registration, and delivery of City bonds and certifi-*
44 *cates.*

45 *4. To perform such other duties as the Council may by ordi-*
46 *nance prescribe or the City Manager may direct.*

47 *I. (Fiscal Year.) The fiscal year of the City Government*
48 *shall begin on the first day of July and end on the last day of*
49 *June. Such year shall constitute the budget year of the City*
50 *Government.*

51 *J. (The City Budget.) 1. (Scope of the Budget.) The budget*
52 *for the City Government shall present a complete financial*
53 *plan for the ensuing fiscal year. It shall set forth all proposed*
54 *expenditures for the administration, operation, and mainte-*
55 *nance of all offices and agencies of the City government and*
56 *any other agency for which appropriations are made or taxes*
57 *levied by the City; all expenditures for capital projects to be*
58 *undertaken or executed during the fiscal year; all interest and*
59 *debt redemption charges payable during the fiscal year; and*
60 *any actual or estimated deficits from prior fiscal years. In*
61 *addition thereto the budget shall set forth the anticipated*
62 *revenues and other means of financing the total proposed ex-*
63 *penditures of the City government for the fiscal year.*

64 *2. (The Budget Document.) The Budget document shall*
65 *consist of two parts, as follows:*

66 *Part I shall contain: (1) a budget message prepared by the*
67 *City Manager, which shall outline a fiscal program for the City*
68 *government, describing therein the important features of the*
69 *budget with reference both to the proposed expenditures and*
70 *to anticipated income; and (2) a general budget summary,*
71 *which shall exhibit the aggregate figures of the budget in such*
72 *manner as to show the relation between the total proposed ex-*
73 *penditures and the total anticipated income for the fiscal year*
74 *covered by the budget, and compare these figures with the cor-*
75 *responding figures for the last completed year and the year in*
76 *progress.*

77 *Part II shall contain: (1) detailed estimates of all proposed*
78 *expenditures, showing the corresponding expenditures for each*
79 *item for the current year and the preceding fiscal year, with*
80 *explanations of increases or decreases recommended as com-*
81 *pared with appropriations for the current fiscal year; the total*
82 *of the proposed expenditures shall not exceed 90% of the esti-*
83 *mated revenues of the City, including the balance from the pre-*
84 *ceding fiscal year; the remaining 10% of said estimated reve-*
85 *nues shall be set aside as a reserve fund to meet extraordinary*
86 *or unanticipated expenditures as the Council may direct; (2)*
87 *detailed estimates of anticipated revenues based on a recom-*
88 *mended tax rate, and other income; (3) a statement of delin-*
89 *quent taxes, if any, for the current and preceding fiscal years,*
90 *indicating the percentages collectible; and (4) a statement of*
91 *the bonded and other indebtedness of the City, showing the*
92 *debt redemption and interest requirements, the debt authorized*
93 *and unissued, the condition of the sinking funds, if any, and*
94 *the borrowing capacity of the City.*

95 *3. (The Preparation and Adoption of the Budget.) The*
96 *heads of the departments and agencies of the City government*
97 *shall at such time as may be fixed by the City Manager trans-*
98 *mit estimates of their budgetary requirements to the head of*
99 *the Finance Department, who shall, under the direction of the*
100 *City Manager, prepare a budget in the form required by the*
101 *preceding paragraph. The City Manager shall transmit the*
102 *budget to the Council at least 45 days before the beginning of*
103 *the fiscal year. The Council shall hold at least one public hear-*
104 *ing on the budget not less than one week before its adoption, of*
105 *which hearing public notice shall have been given at least two*
106 *weeks in advance. The Council may revise, alter, increase, or*
107 *decrease any item in the budget, provided that when it shall*
108 *increase the total proposed expenditures it shall also provide*
109 *for increasing the total income of the City so as to at least*
110 *equal the aggregate proposed expenditures, including the 10%*
111 *reserve. When the Council shall make such changes, it shall*
112 *issue a statement explaining its action. At least ten days be-*
113 *fore the beginning of the fiscal year, the Council shall adopt*
114 *the budget and enact the appropriation ordinance and the*
115 *ordinance prescribing the tax rate.*

116 *4. (Money to be drawn from Treasury in Accordance with*
117 *Appropriation.) No money shall be drawn from the treasury of*
118 *the City, nor shall any obligation for the expenditure of*
119 *money be incurred, except in pursuance of the annual ap-*
120 *propriation ordinance or any revision thereof. At the close of*
121 *each fiscal year any unobligated balance of an appropriation*
122 *shall revert to the fund from which appropriated, but shall be*
123 *subject to reappropriation; except that appropriations may be*
124 *made by the Council, to be paid out of the income of the cur-*
125 *rent year, in furtherance of improvements or other works or ob-*
126 *jects which will not be completed within such year, and any*
127 *such appropriation shall continue in force until the purpose for*
128 *which it was made shall have been accomplished or abandoned.*

131 *5. (Work Program and Allotments.) Immediately before*
132 *the beginning of the fiscal year, the head of each department or*
133 *agency of the City government shall submit to the City Mana-*
134 *ger a work program for the year, which program shall include*
135 *all appropriations for the operation and maintenance of the*
136 *department or agency, and for acquisition of property therefor,*
137 *and shall show the requested allotments of said appropriations*
138 *for such department or agency by months for the entire fiscal*
139 *year. The City Manager, with the assistance of the head of the*

140 *Finance Department, shall review the requested allotments in*
 141 *the light of the work program of the department or agency con-*
 142 *cerned, and may, if he deems it necessary, revise, alter, or*
 143 *change such allotments before approving the same. The ag-*
 144 *gregate of such allotments shall not exceed the total appropria-*
 145 *tion available to said department or agency for the fiscal year.*
 146 *The head of the Finance Department shall authorize all ex-*
 147 *penditures for the departments and agencies to be made from*
 148 *the appropriations on the basis of approved allotments and not*
 149 *otherwise. The approved allotments may be revised during the*
 150 *fiscal year by the City Manager, subject to the approval of the*
 151 *Council.*

1 *K. (Custody of City Moneys.) All moneys received by any*
 2 *department or agency of the City for or in connection with the*
 3 *business of the City shall be paid promptly into the treasury,*
 4 *and be deposited with responsible banking institutions, which*
 5 *shall be designated by the City Manager in accordance with*
 6 *regulations established by ordinance. These depositories shall*
 7 *be subject to such requirements as to security for deposits and*
 8 *interest thereon, by bond or otherwise, as may be established*
 9 *by law or ordinance. All interest earned on moneys belonging*
 10 *to the City shall accrue to the City.*

11 *L. (Independent Audit.) As soon as practicable after the*
 12 *close of each fiscal year, an independent audit shall be made*
 13 *of all accounts of the City government by a qualified public*
 14 *accountant or accountants, selected by the Council. He or they*
 15 *shall have no personal interest directly or indirectly in the*
 16 *financial affairs of the City government or of any of its officers.*
 17 *The facts and figures disclosed by this audit shall promptly*
 18 *after its completion be published in some newspaper having*
 19 *general circulation in the City. If an audit is required to be*
 20 *made by State officials under the provisions of State law for*
 21 *the inspection and audit of municipal accounts, the Council*
 22 *may accept such State audit as fulfilling the requirements of*
 23 *this sub-section.*

24 *M. (~~Bond~~ BONDS OF Officers.) The Council may require*
 25 *any of the officers of the City to give bond in such amount and*
 26 *with such sureties as it may deem necessary, conditioned for*
 27 *the faithful performance of their duties. The Council shall*
 28 *require the custodian of the City's funds to be bonded in an*
 29 *amount equal to not less than 20% of the total estimated re-*
 30 *ceipts of the City for the ensuing fiscal year. The Custodian's*
 31 *bond shall be filed with the Mayor.*

32 *N. (Police Department.) The Chief of Police shall be the*
 33 *head of the Police Department; he shall act under the direction*
 34 *of the City Manager, and shall perform such duties, in addition*
 35 *to those herein prescribed, as the Council may by ordinance*
 36 *prescribe or the City Manager may direct. The Chief of Police*
 37 *and all other police officers of the City shall preserve the peace*
 38 *and enforce or cause to be enforced within the corporate limits*
 39 *of the City all ordinances and police regulations of the City*
 40 *and all State and County laws, and shall make or cause to be*
 41 *made lawful arrests for violations of the ordinances and police*
 42 *regulations of the City or of any law of the State of Maryland*
 43 *or of Montgomery or Prince George's County, committed*
 44 *within the corporate limits of the City, and shall swear out*
 45 *the necessary warrants therefor. The Chief of Police and all*
 46 *other police officers of the City shall serve notices and processes*
 47 *required by this charter or by any ordinance passed by virtue*
 48 *thereof, but shall receive no fees therefor in addition to the*
 49 *compensation fixed by the Council.*

50 *The City Manager, in cases of emergency, may appoint*
 51 *special police officers for periods of not over 30 days, as he*
 52 *may deem necessary.*

53 *O. (Fire Department.) The Chief of the Fire Department*
 54 *shall act under the direction of the City Manager. He and all*
 55 *firemen employed in the department shall extinguish fires*
 56 *within the City, and report to the City Manager any violation*
 57 *of the laws, regulations and ordinances pertaining to the pre-*
 58 *ventive and extinguishment of fires, and perform such addi-*
 59 *tional duties as the Council may by ordinance prescribe or*
 60 *the City Manager may direct. The Chief of the Fire Depart-*
 61 *ment shall keep adequate and complete records of all the*
 62 *physical property of the department, and shall whenever called*
 63 *upon by the City Manager make written reports pertaining to*
 64 *the affairs of his department.*

65 *P. (Department of Public Works.) The Superintendent of*
 66 *Public Works shall be the head of the Department of Public*
 67 *Works. He shall, under the direction of the City Manager,*
 68 *have charge of all engineering work of the City, the collection*
 69 *and disposal of garbage, trash and other refuse, and all other*
 70 *public work of the City assigned to the Department of Public*
 71 *Works; he shall have charge and direction of the employees of*
 72 *the Department, and shall oversee any work performed under*
 73 *contract, and perform such other duties as the Council may by*
 74 *ordinance prescribe or the City Manager may direct; he shall*
 75 *attend the meetings of the Council, and shall advise the Mayor*
 76 *and Council as to the condition of the public work under his*
 77 *charge.*

78 *Q. (Property of the City.) Every head of a department or*
 79 *agency of the City shall, under the direction of the City Man-*
 80 *ager, be custodian of the property and equipment issued to his*
 81 *department or agency, and be responsible for its care, use and*
 82 *upkeep.*

83 *R. (Oath of Office.) The Mayor, each Councilman, the City*
 84 *Manager, and every other officer or employee of the City shall,*
 85 *before entering upon his official duties, take an oath that he*
 86 *will support the Constitutions of the United States and of the*
 87 *State of Maryland, and this charter, and that he will diligently*
 88 *and faithfully discharge the duties of his office or position,*
 89 *without favor, partiality, or prejudice.*

90 *The Mayor shall take the oath of office before the Clerk of*
 91 *the Circuit Court for Montgomery or Prince George's County,*
 92 *or before one of the deputies of such Clerk.*

1 *SEC. 2. And be it further enacted, That, notwithstanding*
 2 *any other evidence of legislative intent, it is hereby declared to*
 3 *be the legislative intent that, if any provision of this Act, or*
 4 *the application thereof to any person or circumstance, is held*
 5 *invalid, the remainder of the Act, and the application of such*
 6 *provision to other persons or circumstances, shall not be*
 7 *affected thereby.*

1 *SEC. 3. And be it further enacted, That all laws or parts of*
 2 *laws inconsistent herewith, whether public general or public*
 3 *local, are hereby repealed to the extent of such inconsistency.*

1 *SEC. 4. And be it further enacted, That this Act shall not*
 2 *become effective unless and until it shall be submitted to the*
 3 *registered voters of the City of Takoma Park, and approved*
 4 *by a majority of such voters voting thereon.*

HOUSE BILL NO. 34

5 The question shall be submitted by the Mayor and Council
 6 to the registered voters of said City at the regular City elec-
 7 tion to be held in March, 1952, and shall appear on the ballots
 8 or voting machines in the form "Shall the Charter of the City
 9 of Takoma Park be amended to provide for the office of City
 10 Manager?", followed by the words "For Charter Amendment",
 11 and "Against Charter Amendment", with a square or box
 12 opposite each such statement for the voters to indicate their
 13 choice.

14 If a majority of those voting on the question shall vote "For
 15 Charter Amendment", then the provisions of Section 1192
 16 (104.7) (1298) as set forth above shall become effective at
 17 the beginning of the next fiscal year (July 1, 1952); but if a
 18 majority of those voting on the said question shall vote
 19 "Against Charter Amendment", or if the votes are equally
 20 divided, then Sections 1192, 1193 (D) and 1194 of the Mont-
 21 gomery County Code (1947 Edition) and the corresponding
 22 sections of the 1950 Montgomery County Code and the 1943
 23 Edition of the Prince George's County Code shall continue in
 24 force as though this Act had not been enacted.

1 SEC. 5. *And be it further enacted*, That this Act shall take
 2 effect June 1, 1951.

Approved:

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

Sealed with the Great Seal and presented to the Governor, for his
approval this.....day of.....
at..... o'clock,M.

.....
Chief Clerk.

CHAPTER NO.....189.....

A BILL ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 1196 (F) of the Montgomery County Code (1947 Edition), being Section 104.10 of the 1950 Montgomery County Code, and Section 1302 (F) of the Prince George's County Code (1943 Edition), being Articles 16 and 17, respectively, of the Code of Public Local Laws of Maryland, titles "Montgomery County" and "Prince George's County", sub-title "Takoma Park", relating to the discount allowed for the prompt payment of taxes in the City of Takoma Park.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That Section 1196 (F) of the Montgomery County Code
3 (1947 Edition), being Section 104.10 of the 1950 Montgomery
4 County Code, and Section 1302 (F) of the Prince George's
5 County Code (1943 Edition), being Articles 16 and 17, respec-
6 tively, of the Code of Public Local Laws of Maryland, titles
7 "Montgomery County" and "Prince George's County", sub-
8 title "Takoma Park", be and it is hereby repealed and re-
9 enacted, with amendments, to read as follows:

1 1196 (F). (104.10) 1302 (F). On or before the last day
2 of June in each year, the Council shall, by ordinance, levy the
3 general taxes for the fiscal year ensuing, which taxes shall
4 not exceed Two Dollars (\$2.00) on each One Hundred Dollars
5 (\$100.00) of assessed valuation. Such taxes shall be due on
6 the first day of July following, and if the taxes due from any
7 person or corporation shall not be paid before the first day
8 of November following, there shall be added on that day a
9 penalty of one per centum (1%) thereof, and a like penalty of
10 one per centum (1%) on the first day of each succeeding
11 month, until such taxes and penalties shall be paid; provided,
12 however, that taxes paid prior to the first day of November of
13 any year shall be subject to a discount as follows: Taxes paid
14 during July, two per cent. (2%); and during August and
15 September [one and one-half per cent. (1½%); during Sep-
16 tember, one per cent (1%) and during October one-half per
17 cent. (½%)] one per cent. (1%). Nothing herein contained
18 shall in any way operate to or be construed to repeal, alter,
19 revise, amend or operate to or in any manner affect any other

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strikeout~~ indicates matter stricken out of bill.

2

HOUSE BILL No. 35

20 provision in this Charter as to the assessment, collection, or
21 sale for non-payment of taxes, and all taxes, notwithstanding
22 the provisions of this section, shall be collected, except as
23 herein specifically provided for, and all proceedings for sales
24 for the non-payment thereof shall be conducted, at the times
25 and in the manner provided for in the other sections of this
26 Charter.

1 SEC. 2. *And be it further enacted,* That this Act shall take
3 effect June 1, 1951.

Approved :

.....
Governor.

.....
Speaker of the House of Delegates.

.....
President of the Senate.

CHAPTER NO. 98

A BILL ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 1189 (M) of the Montgomery County Code (1947 Edition), being Section 104-3 (M) of the 1950 Montgomery County Code, and Section 1295 (M) of the Prince George's County Code (1943 Edition), titles "Montgomery County" and "Prince George's County", sub-title "Takoma Park", as said section was amended by Chapter 331 of the Acts of 1949, providing for the designation of a member of the Council to perform the duties of the Mayor under certain conditions.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
 2 *land,* That Section 1189 (M) of the Montgomery County Code
 3 (1947 Edition), being Section 104-3 (M) of the 1950 Mont-
 4 gomery County Code, and Section 1295 (M) of the Prince
 5 George's County Code (1943 Edition), titles "Montgomery
 6 County" and "Princes George's County", sub-title "Takoma
 7 Park", as said section was amended by Chapter 331 of the
 8 Acts of 1949, be and they are hereby repealed and re-enacted,
 9 with amendments, to read as follows:

1 1189 (M) (104-3 (M)).

1a 1295 (M).

2 The Council shall within ten days after each election
 3 determine all questions arising thereon; and any person con-
 4 ceiving himself aggrieved by reason of such decision may
 5 appeal to the Circuit Court of Montgomery County, or to the
 6 Circuit Court of Prince George's County, depending upon the
 7 place of residence of the appellant, which shall hear and
 8 determine the same, and determine who shall pay the costs of
 9 appeal. In case of a tie vote at any election for Mayor and
 10 members of the Council, another election shall be held, after
 11 ten days' notice, pursuant to the provisions foregoing in
 12 regard to elections. In case of any vacancy in the office of the

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike-out~~ indicates matter stricken out of bill.

13 Mayor or a Councilman by death, resignation or removal from
 14 the city, the said vacancy shall be filled by a vote of the
 15 Council until the next election for members of the Council.
 16 *As soon as practicable after taking office, the Mayor shall,*
 17 *subject to the approval of the Council, designate a Councilman*
 18 *to perform all the duties of Mayor at such times as the Mayor*
 19 *is incapacitated or is absent from the city for more than three*
 20 *days consecutively. Such designation may, with the consent*
 21 *of the Council, be terminated at any time and another Council-*
 22 *man designated instead.*

1 SEC. 2. *And be it further enacted, That this Act shall take*
 2 *effect June 1, 1951.*

Approved:

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

CHAPTER NO. 89.....

A BILL ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 1191 (a) of the Montgomery County Code (1947 Edition—being Section 104-6 (a) of the 1950 Edition), and Section 1297 (a) of the Prince George's County Code (1943 Edition), as said section was amended by Chapter 374 of the Acts of 1949, prescribing the rules governing a quorum of the City Council of the City of Takoma Park and the procedure in the case of the absence of the Mayor.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
 2 *land, That Section 1191 (a) of the Montgomery County Code*
 3 *(1947 Edition—being Section 104-6 (a) of the 1950 Edition),*
 4 *and Section 1297 (a) of the Prince George's County Code*
 5 *(1943 Edition), as said section was amended by Chapter 374*
 6 *of the Acts of 1949, be and they are hereby repealed and re-*
 7 *enacted, with amendments, to read as follows:*

1 1191 (a) (104-6(a)).

1a 1297 (a).

3 The Council shall meet at some convenient place in said
 4 city on or before the fourth Monday in April next succeeding
 5 their election, and as often thereafter as may be necessary to
 6 discharge the duties of their office; not less, however, than once
 7 in every month. [A majority of the Council shall constitute
 8 a quorum for the transaction of business and the Council shall
 9 pass rules and by-laws for their own government while in
 10 session; upon a tie vote the vote of the Mayor shall be decid-
 11 ing; in the absence of the Mayor at any meeting the members
 12 of the Council present shall elect one of their own number to
 13 preside during his absence who, for the time being shall be
 14 clothed with all the powers and authority of the Mayor.] *A*
 15 *majority of the Council shall constitute a quorum for the*
 16 *transaction of business, and the Council shall pass rules and*

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strikeout~~ indicates matter stricken out of bill.

17 *by-laws for their own government while in session; upon a tie*
 18 *vote the vote of the Mayor shall be deciding. Any single action*
 19 *of the Council relative to the borrowing of money or expendi-*
 20 *tures of \$10,000.00 or more, receiving less than four affirmative*
 21 *votes, shall be submitted to the Mayor for his approval; if he*
 22 *does not approve, it shall not become effective until it does re-*
 23 *ceive an affirmative vote of four Council members. In the ab-*
 24 *sence of the Mayor at any meeting, the Councilman designated*
 25 *in Section 1189 (M) to act as Mayor in case of the absence or*
 26 *disability of the Mayor shall preside; if such Councilman is*
 27 *also absent, the Council shall designate one of the Councilmen*
 28 *present to preside; a Councilman presiding in the absence of*
 29 *the Mayor shall retain his vote as Councilman, but shall have*
 30 *no additional vote in case of a tie.*

1 SEC. 2. *And be it further enacted, That this Act shall take*
 2 effect June 1, 1951.

Approved:

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

CHAPTER NO. 37

A BILL ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 1193 (G) and (H) and 1198 (G) and to repeal ~~Section 1193 (K) of the Montgomery County Code (1947 Edition),~~ CHAPTER 51 OF THE ACTS OF THE SPECIAL SESSION OF 1947, being Sections 104.8 (g) and (h) ~~and (k),~~ and 104.12 (g) of the 1950 Montgomery County Code, and Sections 1299 (G) and (H) ~~and (K),~~ and 1304 (G) of the Prince George's County Code (1943 Edition), being Articles 16 and 17, respectively, of the Code of Public Local Laws of Maryland, titles "Montgomery County" and "Prince George's County", sub-title "Takoma Park", relating to the incurring of indebtedness by the City of Takoma Park and providing for submitting the question as to indebtedness to the registered voters of the city.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That Sections 1193 (G) and (H) and 1198 (G) of the
3 Montgomery County Code (1947 Edition), being Sections 104.8
4 (g) and (h), and 104.12 (g) of the 1950 Montgomery County
5 Code, and Sections 1299 (G) and (H) and 1304 (G) of the
6 Prince George's County Code (1943 Edition), being Articles 16
7 and 17, respectively, of the Code of Public Local Laws of Mary-
8 land, titles "Montgomery County" and "Prince George's
9 County", sub-title "Takoma Park", be and they are hereby re-
10 pealed and re-enacted, with amendments, to read as follows:

1193.

1 (G) The Council shall have authority to incur indebtedness
2 *in an amount* not exceeding three per cent. of the assessed
3 value of all property within the corporate limits of the City,
4 ~~in excess of the annual revenue of the city,~~ and shall, when-
5 ever any such debt is created, provide for the payment thereof
6 by the issuing of certificates of indebtedness ~~at~~ bearing
7 such rate of interest as the Council may deem advisable, which
8 certificates shall be payable within twenty years, in the dis-
9 cretion of ~~said~~ the Council; provided, however, that no such
10 debt shall be incurred and no such certificates shall be issued
11 except as follows: The Council shall, by ordinance passed by
12 yeas and nays, specify the particular purpose or purposes for
13 which the indebtedness is to be created, the amount, the rate

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strike out~~ indicates matter stricken out of bill.

14 of interest and the manner of payment; [they shall then
 15 provide in said ordinance] *the said ordinance shall provide*
 16 for submitting the question of the creation of such debt to
 17 the [resident taxpayers] *registered voters* of the city at a
 18 special municipal election to be called by the Council for that
 19 purpose, notice of which *election* shall be published in some
 20 newspaper of general circulation [therein] *in the City of*
 21 *Takoma Park* once a week for two weeks next preceding such
 22 election; the notice and publication shall recite the ordinance
 23 and describe the indebtedness to be created. The ballots
 24 [shall be printed] *or voting machines shall provide for a vote*
 25 *for or against the debt, by the use of the printed words "For*
 26 *the Debt" and "Against the Debt".* If [two-thirds of the
 27 resident taxpayers of the city, so] *three-fifths or more of the*
 28 *registered voters* voting at such election, shall vote in favor of
 29 the debt, and not otherwise, the Council may incur such debt
 30 and issue [the amount] certificates of indebtedness *up to the*
 31 *amount* so specified. [provided, however, that the payment of
 32 dog tax shall not constitute any person a taxpayer within
 33 the intent of this section; and provided further, that a resi-
 34 dent of three months in said city shall be necessary to qualify
 35 a taxpayer to vote under the provisions of this section.]

36 (H) ~~The Council may issue certificates of indebtedness,~~
 37 ~~bearing interest not to exceed in amount the annual revenue~~
 38 (H) THE COUNCIL MAY ISSUE INTEREST-BEARING
 39 CERTIFICATES OF INDEBTEDNESS, NOT TO EXCEED
 40 IN AMOUNT THE ANNUAL REVENUE of the city, less the
 41 amount of all sinking funds previously provided for, said cer-
 42 tificates and interest to be paid only from such revenue and
 43 within one year from the date of their issue; and such cer-
 44 tificates may be issued in pursuance of an ordinance duly
 45 passed without submitting the question to [a vote of the tax-
 46 payers] *the registered voters of the City.*

1198.

1 (G) To carry out the provisions of this section the said
 2 Council is hereby given power and authority, in addition to
 3 such power and authority as is conferred elsewhere in this
 4 charter, to borrow such additional sums from time to time
 5 as may be needed to make such improvements, including the
 6 proportionate share thereof, if any, to be assessed against the
 7 city in accordance with this section, and to issue certificates
 8 of indebtedness as evidence thereof. All sums so borrowed
 9 shall be kept in a separate account to be known as the "Special
 10 Improvement Fund" and shall be borrowed for no longer
 11 period than shall be sufficient to collect the special assess-
 12 ments provided for; said certificates of indebtedness shall be
 13 full and complete general obligations of the City of Takoma
 14 Park and shall be payable first from the special assessments
 15 levied under the provisions of this section; and in the event of
 16 any deficiency occurring in the amount received from said
 17 special assessments, the Council shall and it is hereby directed
 18 to make up such deficiency by paying the same from the general
 19 revenues of the city. Certificates of indebtedness herein
 20 authorized may be issued at the discretion of the Council and
 21 without being submitted to [a vote of the taxpayers] *the*
 22 *registered voters of the City.*

HOUSE BILL NO. 39

1 *Sec. 2. And be it further enacted, That Section 1193 (K)*
 2 *of the Montgomery County Code (1947 Edition), being Sec-*
 3 *tion 104.8 (k) of the 1950 Edition, and Section 1209 (K) of*
 4 *the Prince George's County Code (1943 Edition), titles*
 5 *"Montgomery County" and "Prince George's County", sub-*
 6 *title "Takoma Park", be and it is hereby repealed.*

1 SEC. 2. AND BE IT FURTHER ENACTED, THAT CHAP-
 2 TER 51 OF THE ACTS OF THE SPECIAL SESSION OF
 3 1947 BE AND THE SAME IS HEREBY REPEALED.

1 SEC. 3. *And be it further enacted, That this Act shall take*
 2 *effect June 1, 1951.*

Approved:

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

Sealed with the Great Seal and presented to the Governor, for his

approval this.....day of.....

at..... o'clock,M.

.....
Chief Clerk.

House Bill No. 215

CHAPTER NO. 117.....

A BILL ENTITLED

AN ACT to repeal Section 1197 of the Code of Public Local Laws of Montgomery County (1947 Edition), being Section 104-11 of the Montgomery County Code (1950 Edition), being also Section 1305 of the Code of Public Local Laws of Prince George's County (1943 Edition), being also Articles 16 and 17 of the Code of Public Local Laws of Maryland, titles "Montgomery County", and "Prince George's County", sub-title "Takoma Park", relating to tax sales.

1 WHEREAS, adequate provision for the sale of property in the
2 City of Takoma Park upon which taxes are in arrears is found
3 in Sections 71A through 90W of Article 81 of the Annotated
4 Code of Maryland (1947 Supplement); now therefore

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land, That Section 1197 of the Code of Public Local Laws of*
3 *Montgomery County (1947 Edition), being Section 104-11 of*
4 *the Montgomery County Code (1950 Edition), being also Sec-*
5 *tion 1305 of the Code of Public Local Laws of Prince George's*
6 *County (1943 Edition), being also Articles 16 and 17 of the*
7 *Code of Public Local Laws of Maryland, titles "Montgomery*
8 *County", and "Prince George's County", sub-title "Takoma*
9 *Park", be and it is hereby repealed.*

1 SEC. 2. *And be it further enacted, That this Act shall take*
2 *effect June 1, 1951.*

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strike out~~ indicates matter stricken out of bill.

Approved :

.....
Governor.

.....
Speaker of the House of Delegates.

.....
President of the Senate.

CHAPTER NO. 152

A BILL ENTITLED

AN ACT to add a new sub-section to Section 1193 of the Code of Public Local Laws of Montgomery County (1947 Edition), being Section 104-8 of the Montgomery County Code (1950 Edition), and to Section 1299 of the Code of Public Local Laws of Prince George's County (1943 Edition), being also Articles 16 and 17 of the Code of Public Local Laws of Maryland, titles "Montgomery County" and "Prince George's County", sub-title "Takoma Park", said new sub-section to be known as Sub-section (HH) and to follow immediately after Sub-section (H) of said sections, relating to the power of the Council to acquire and sell real or leasehold property.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That a new sub-section be and it is hereby added to Sec-
3 tion 1193 of the Code of Public Local Laws of Montgomery
4 County (1947 Edition), being Section 104-8 of the Montgomery
5 County Code (1950 Edition), and to Section 1299 of the Code
6 of Public Local Laws of Prince George's County (1943 Edi-
7 tion), being also Articles 16 and 17 of the Code of Public Local
8 Laws of Maryland, titles "Montgomery County" and "Prince
9 George's County", sub-title "Takoma Park", said new sub-
10 section to be known as Sub-section (HH) and to follow im-
11 mediately after Sub-section (H) of said sections, and to read
12 as follows:

1 1193. (HH) *The Council shall have power to acquire by pur-*
2 *chase or condemnation real or leasehold property needed for*
3 *any public purpose and to erect buildings thereon for the bene-*
4 *fit of the city and to sell at public or private sale any real or*
5 *leasehold property belonging to the city when no longer needed*
6 *for public use, but no property shall be sold until such sale*
7 *has been advertised for at least twenty days before date of sale.*

1 SEC. 2. *And be it further enacted,* That this Act shall take
2 effect June 1, 1951.

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strike-out~~ indicates matter stricken out of bill.

Approved:

.....
Governor.

.....
Speaker of the House of Delegates.

.....
President of the Senate.

12 acres - Passed

Introduced by the Montgomery and Prince George's Co. Delegations.
House Bill No. 142

Read and Examined by Proof Readers:

.....
.....
.....

Sealed with the Great Seal and presented to the Governor, for his
approval this.....day of.....
at..... o'clock,M.

.....
Chief Clerk.

CHAPTER...685

MAY 7 1951

AN ACT to add Section 1187A to the Montgomery County Code (1947 Edition), (to be Section 104.2A of the 1950 Montgomery County Code) and Section 1293A to the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park," to extend the boundaries of Takoma Park to include a certain area in Prince George's County and to repeal Section 1188 of the Montgomery County Code (1947 Edition), (being Section 104.3 of the 1950 Montgomery County Code) and Section 1294 of the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park."

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That a new section be and it is hereby added to the

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strikeout~~ indicates matter stricken out of bill.

3 Montgomery County Code (1947 Edition), the 1950 Montgom-
 4 ery County Code, and the Prince George's County Code
 5 (1943 Edition), said new section to be known as Section 1187A
 6 in the Montgomery County Code (1947 Edition) and to follow
 7 immediately after Section 1187 of said Code, Section 104.2A
 8 of the 1950 Montgomery County Code, to follow immediately
 9 after Section 104.2 of said Code, and Section 1293A of the
 10 Prince George's County Code (1943 Edition), to follow im-
 11 mediately after Section 1293 of said Code, titles "Montgomery
 12 County," and "Prince George's County," sub-title "Takoma
 13 Park", and to read as follows:

1 1187A, (104.2A) (1293A). (a). *The boundaries of the City*
 2 *of Takoma Park are hereby extended to include the following*
 3 *area in Prince George's County, which is hereby added to said*
 4 *town: All of that tract or tracts or parcels of land lying in*
 5 *Prince George's County and bounded on the north by Old*
 6 *Blandensburg Road (now known as University Drive); on the*
 7 *east by the corporate limits of the City of Takoma Park; on*
 8 *the south by the north line of "Riggs Wood Lot"; and on the*
 9 *west by New Hampshire Avenue, extended; SAID TRACT OR*
 10 *PARCEL OF LAND BEING THE SAME AS WAS RE-*
 11 *MOVED FROM THE CORPORATE LIMITS OF THE SAID*
 12 *TOWN BY SECTION 2 OF CHAPTER 543 OF THE ACTS*
 13 *OF 1939, THEREAFTER CODIFIED AS SECTION 1188 OF*
 14 *THE CODE OF MONTGOMERY COUNTY (1947 EDITION)*
 15 *AND 1294 OF PRINCE GEORGE'S COUNTY.*

10 (b). *All of the inhabitants of the territory by this section*
 11 *annexed to the City of Takoma Park shall in all respects be*
 12 *subject to the powers, jurisdiction and authority now vested or*
 13 *to be vested by law in The Mayor and Council of Takoma Park.*

14 (c). *All of the provisions of the Public Local Laws of Mary-*
 15 *land pertaining to the City of Takoma Park and all of the or-*
 16 *dinances heretofore enacted by The Mayor and Council of*
 17 *Takoma Park are extended and made applicable to the terri-*
 18 *tory by this section annexed to said City of Takoma Park.*

19 (d). *All property, real and personal, in said territory shall*
 20 *be subject to assessment, levy and taxation for all proper pur-*
 21 *poses, including the payment of interest upon and retirement*
 22 *of the principal of bonds of the City of Takoma Park now out-*
 23 *standing or hereafter to be issued, in the same manner and*
 24 *form and at the same rate of taxation as property of similar*
 25 *character or description within the old limits of said City, the*
 26 *first of such levies to be made at the time of the annual levy of*
 27 *taxes of said City for the year 1951.*

28 (e). *All streets, avenues, alleys and roadways lying within*
 29 *the areas by this section annexed to the City of Takoma Park*
 30 *which have heretofore been legally constituted streets, roads,*
 31 *avenues or alleys, shall be held to be validly constituted*
 32 *streets, roads, avenues and alleys of the City of Takoma Park.*

1 SEC. 2. *And be it further enacted*, That Section 1188 of the
 2 Montgomery County Code (1947 Edition), (being Section
 3 104.3 of the 1950 Montgomery County Code) and Section 1294
 4 of the Prince George's County Code (1943 Edition), titles
 5 "Montgomery County," and "Prince George's County," sub-
 6 title "Takoma Park," be and they are hereby repealed.

1 SEC. 3. *And be it further enacted*, That this Act shall take
 2 effect June 1, 1951.

Approved :

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

12 acres - Passed

Introduced by the Montgomery and Prince George's Co. Delegations.
House Bill No. 142

Read and Examined by Proof Readers:

.....
.....
.....

Sealed with the Great Seal and presented to the Governor, for his
approval this.....day of.....
at..... o'clock,M.

.....
Chief Clerk.

CHAPTER... 685

MAY 7 1951

AN ACT to add Section 1187A to the Montgomery County Code (1947 Edition), (to be Section 104.2A of the 1950 Montgomery County Code) and Section 1293A to the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park," to extend the boundaries of Takoma Park to include a certain area in Prince George's County and to repeal Section 1188 of the Montgomery County Code (1947 Edition), (being Section 104.3 of the 1950 Montgomery County Code) and Section 1294 of the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park."

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That a new section be and it is hereby added to the

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strikeout~~ indicates matter stricken out of bill.

3 Montgomery County Code (1947 Edition), the 1950 Montgom-
 4 ery County Code, and the Prince George's County Code
 5 (1943 Edition), said new section to be known as Section 1187A
 6 in the Montgomery County Code (1947 Edition) and to follow
 7 immediately after Section 1187 of said Code, Section 104.2A
 8 of the 1950 Montgomery County Code, to follow immediately
 9 after Section 104.2 of said Code, and Section 1293A of the
 10 Prince George's County Code (1943 Edition), to follow im-
 11 mediately after Section 1293 of said Code, titles "Montgomery
 12 County," and "Prince George's County," sub-title "Takoma
 13 Park", and to read as follows:

1 1187A, (104.2A) (1293A). (a). *The boundaries of the City*
 2 *of Takoma Park are hereby extended to include the following*
 3 *area in Prince George's County, which is hereby added to said*
 4 *town: All of that tract or tracts or parcels of land lying in*
 5 *Prince George's County and bounded on the north by Old*
 6 *Blandensburg Road (now known as University Drive); on the*
 7 *east by the corporate limits of the City of Takoma Park; on*
 8 *the south by the north line of "Riggs Wood Lot"; and on the*
 9 *west by New Hampshire Avenue, extended; SAID TRACT OR*
 10 *PARCEL OF LAND BEING THE SAME AS WAS RE-*
 11 *MOVED FROM THE CORPORATE LIMITS OF THE SAID*
 12 *TOWN BY SECTION 2 OF CHAPTER 543 OF THE ACTS*
 13 *OF 1939, THEREAFTER CODIFIED AS SECTION 1188 OF*
 14 *THE CODE OF MONTGOMERY COUNTY (1947 EDITION)*
 15 *AND 1294 OF PRINCE GEORGE'S COUNTY.*

10 (b). *All of the inhabitants of the territory by this section*
 11 *annexed to the City of Takoma Park shall in all respects be*
 12 *subject to the powers, jurisdiction and authority now vested or*
 13 *to be vested by law in The Mayor and Council of Takoma Park.*

14 (c). *All of the provisions of the Public Local Laws of Mary-*
 15 *land pertaining to the City of Takoma Park and all of the or-*
 16 *dinances heretofore enacted by The Mayor and Council of*
 17 *Takoma Park are extended and made applicable to the terri-*
 18 *tory by this section annexed to said City of Takoma Park.*

19 (d). *All property, real and personal, in said territory shall*
 20 *be subject to assessment, levy and taxation for all proper pur-*
 21 *poses, including the payment of interest upon and retirement*
 22 *of the principal of bonds of the City of Takoma Park now out-*
 23 *standing or hereafter to be issued, in the same manner and*
 24 *form and at the same rate of taxation as property of similar*
 25 *character or description within the old limits of said City, the*
 26 *first of such levies to be made at the time of the annual levy of*
 27 *taxes of said City for the year 1951.*

28 (e). *All streets, avenues, alleys and roadways lying within*
 29 *the areas by this section annexed to the City of Takoma Park*
 30 *which have heretofore been legally constituted streets, roads,*
 31 *avenues or alleys, shall be held to be validly constituted*
 32 *streets, roads, avenues and alleys of the City of Takoma Park.*

HOUSE BILL NO. 142

1 SEC. 2. *And be it further enacted*, That Section 1188 of the
 2 Montgomery County Code (1947 Edition), (being Section
 3 104.3 of the 1950 Montgomery County Code) and Section 1294
 4 of the Prince George's County Code (1943 Edition), titles
 5 "Montgomery County," and "Prince George's County," sub-
 6 title "Takoma Park," be and they are hereby repealed.

1 SEC. 3. *And be it further enacted*, That this Act shall take
 2 effect June 1, 1951.

Approved :

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

Introduced by the Montgomery and Prince George's Co. Delegations.

House Bill No. 142

Read and Examined by Proof Readers:

.....
.....
.....

Sealed with the Great Seal and presented to the Governor, for his

approval this.....day of.....

at..... o'clock,M.

.....
Chief Clerk.

CHAPTER...685...

MAY 7 1951

AN ACT to add Section 1187A to the Montgomery County Code (1947 Edition), (to be Section 104.2A of the 1950 Montgomery County Code) and Section 1293A to the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park," to extend the boundaries of Takoma Park to include a certain area in Prince George's County and to repeal Section 1188 of the Montgomery County Code (1947 Edition), (being Section 104.3 of the 1950 Montgomery County Code) and Section 1294 of the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park."

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That a new section be and it is hereby added to the

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strikeout~~ indicates matter stricken out of bill.

3 Montgomery County Code (1947 Edition), the 1950 Montgom-
 4 ery County Code, and the Prince George's County Code
 5 (1943 Edition), said new section to be known as Section 1187A
 6 in the Montgomery County Code (1947 Edition) and to follow
 7 immediately after Section 1187 of said Code, Section 104.2A
 8 of the 1950 Montgomery County Code, to follow immediately
 9 after Section 104.2 of said Code, and Section 1293A of the
 10 Prince George's County Code (1943 Edition), to follow im-
 11 mediately after Section 1293 of said Code, titles "Montgomery
 12 County," and "Prince George's County," sub-title "Takoma
 13 Park", and to read as follows:

1 1187A, (104.2A) (1293A). (a). *The boundaries of the City*
 2 *of Takoma Park are hereby extended to include the following*
 3 *area in Prince George's County, which is hereby added to said*
 4 *town: All of that tract or tracts or parcels of land lying in*
 5 *Prince George's County and bounded on the north by Old*
 6 *Blandensburg Road (now known as University Drive); on the*
 7 *east by the corporate limits of the City of Takoma Park; on*
 8 *the south by the north line of "Riggs Wood Lot"; and on the*
 9 *west by New Hampshire Avenue, extended; SAID TRACT OR*
 10 *PARCEL OF LAND BEING THE SAME AS WAS RE-*
 11 *MOVED FROM THE CORPORATE LIMITS OF THE SAID*
 12 *TOWN BY SECTION 2 OF CHAPTER 543 OF THE ACTS*
 13 *OF 1939, THEREAFTER CODIFIED AS SECTION 1188 OF*
 14 *THE CODE OF MONTGOMERY COUNTY (1947 EDITION)*
 15 *AND 1294 OF PRINCE GEORGE'S COUNTY.*

10 (b). *All of the inhabitants of the territory by this section*
 11 *annexed to the City of Takoma Park shall in all respects be*
 12 *subject to the powers, jurisdiction and authority now vested or*
 13 *to be vested by law in The Mayor and Council of Takoma Park.*

14 (c). *All of the provisions of the Public Local Laws of Mary-*
 15 *land pertaining to the City of Takoma Park and all of the or-*
 16 *dinances heretofore enacted by The Mayor and Council of*
 17 *Takoma Park are extended and made applicable to the terri-*
 18 *tory by this section annexed to said City of Takoma Park.*

19 (d). *All property, real and personal, in said territory shall*
 20 *be subject to assessment, levy and taxation for all proper pur-*
 21 *poses, including the payment of interest upon and retirement*
 22 *of the principal of bonds of the City of Takoma Park now out-*
 23 *standing or hereafter to be issued, in the same manner and*
 24 *form and at the same rate of taxation as property of similar*
 25 *character or description within the old limits of said City, the*
 26 *first of such levies to be made at the time of the annual levy of*
 27 *taxes of said City for the year 1951.*

28 (e). *All streets, avenues, alleys and roadways lying within*
 29 *the areas by this section annexed to the City of Takoma Park*
 30 *which have heretofore been legally constituted streets, roads,*
 31 *avenues or alleys, shall be held to be validly constituted*
 32 *streets, roads, avenues and alleys of the City of Takoma Park.*

HOUSE BILL NO. 142

1 SEC. 2. *And be it further enacted*, That Section 1188 of the
 2 Montgomery County Code (1947 Edition), (being Section
 3 104.3 of the 1950 Montgomery County Code) and Section 1294
 4 of the Prince George's County Code (1943 Edition), titles
 5 "Montgomery County," and "Prince George's County," sub-
 6 title "Takoma Park," be and they are hereby repealed.

1 SEC. 3. *And be it further enacted*, That this Act shall take
 2 effect June 1, 1951.

Approved:

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.

12 acres - passed

198

Introduced by the Montgomery and Prince George's Co. Delegations.

House Bill No. 142

Read and Examined by Proof Readers:

.....
.....
.....

Sealed with the Great Seal and presented to the Governor, for his approval this.....day of..... at..... o'clock,M.

.....
Chief Clerk.

CHAPTER...685

MAY 7 1951

AN ACT to add Section 1187A to the Montgomery County Code (1947 Edition), (to be Section 104.2A of the 1950 Montgomery County Code) and Section 1293A to the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park," to extend the boundaries of Takoma Park to include a certain area in Prince George's County and to repeal Section 1188 of the Montgomery County Code (1947 Edition), (being Section 104.3 of the 1950 Montgomery County Code) and Section 1294 of the Prince George's County Code (1943 Edition), titles "Montgomery County," and "Prince George's County," sub-title "Takoma Park."

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That a new section be and it is hereby added to the

EXPLANATION: *Italics indicate new matter added to existing law.*
[Brackets] indicate matter stricken from existing law.
CAPITALS indicate amendments to bill.
~~Strikeout~~ indicates matter stricken out of bill.

3 Montgomery County Code (1947 Edition), the 1950 Montgom-
 4 ery County Code, and the Prince George's County Code
 5 (1943 Edition), said new section to be known as Section 1187A
 6 in the Montgomery County Code (1947 Edition) and to follow
 7 immediately after Section 1187 of said Code, Section 104.2A
 8 of the 1950 Montgomery County Code, to follow immediately
 9 after Section 104.2 of said Code, and Section 1293A of the
 10 Prince George's County Code (1943 Edition), to follow im-
 11 mediately after Section 1293 of said Code, titles "Montgomery
 12 County," and "Prince George's County," sub-title "Takoma
 13 Park", and to read as follows:

1 1187A, (104.2A) (1293A). (a). *The boundaries of the City*
 2 *of Takoma Park are hereby extended to include the following*
 3 *area in Prince George's County, which is hereby added to said*
 4 *town: All of that tract or tracts or parcels of land lying in*
 5 *Prince George's County and bounded on the north by Old*
 6 *Blandensburg Road (now known as University Drive); on the*
 7 *east by the corporate limits of the City of Takoma Park; on*
 8 *the south by the north line of "Riggs Wood Lot"; and on the*
 9 *west by New Hampshire Avenue, extended; SAID TRACT OR*
 10 *PARCEL OF LAND BEING THE SAME AS WAS RE-*
 11 *MOVED FROM THE CORPORATE LIMITS OF THE SAID*
 12 *TOWN BY SECTION 2 OF CHAPTER 543 OF THE ACTS*
 13 *OF 1939, THEREAFTER CODIFIED AS SECTION 1188 OF*
 14 *THE CODE OF MONTGOMERY COUNTY (1947 EDITION)*
 15 *AND 1294 OF PRINCE GEORGE'S COUNTY.*

10 (b). *All of the inhabitants of the territory by this section*
 11 *annexed to the City of Takoma Park shall in all respects be*
 12 *subject to the powers, jurisdiction and authority now vested or*
 13 *to be vested by law in The Mayor and Council of Takoma Park.*

14 (c). *All of the provisions of the Public Local Laws of Mary-*
 15 *land pertaining to the City of Takoma Park and all of the or-*
 16 *dinances heretofore enacted by The Mayor and Council of*
 17 *Takoma Park are extended and made applicable to the terri-*
 18 *tory by this section annexed to said City of Takoma Park.*

19 (d). *All property, real and personal, in said territory shall*
 20 *be subject to assessment, levy and taxation for all proper pur-*
 21 *poses, including the payment of interest upon and retirement*
 22 *of the principal of bonds of the City of Takoma Park now out-*
 23 *standing or hereafter to be issued, in the same manner and*
 24 *form and at the same rate of taxation as property of similar*
 25 *character or description within the old limits of said City, the*
 26 *first of such levies to be made at the time of the annual levy of*
 27 *taxes of said City for the year 1951.*

28 (e). *All streets, avenues, alleys and roadways lying within*
 29 *the areas by this section annexed to the City of Takoma Park*
 30 *which have heretofore been legally constituted streets, roads,*
 31 *avenues or alleys, shall be held to be validly constituted*
 32 *streets, roads, avenues and alleys of the City of Takoma Park.*

HOUSE BILL NO. 142

1 SEC. 2. *And be it further enacted*, That Section 1188 of the
 2 Montgomery County Code (1947 Edition), (being Section
 3 104.3 of the 1950 Montgomery County Code) and Section 1294
 4 of the Prince George's County Code (1943 Edition), titles
 5 "Montgomery County," and "Prince George's County," sub-
 6 title "Takoma Park," be and they are hereby repealed.

1 SEC. 3. *And be it further enacted*, That this Act shall take
 2 effect June 1, 1951.

Approved:

.....
 Governor.

.....
 Speaker of the House of Delegates.

.....
 President of the Senate.