

**TOWN OF LAYTONSVILLE, MARYLAND
ORDINANCE NO: 03-10**

AN ORDINANCE TO AUTHORIZE THE TOWN OF LAYTONSVILLE TO PROVIDE THAT ANY VALID CHARGE, TAX OR ASSESSMENT MADE AGAINST ANY REAL PROPERTY IN THE TOWN FOR THE PROVISION OF MUNICIPAL SERVICES TO REMEDY VIOLATION OF THE TOWN CODE OR PROTECT THE HEALTH, SAFETY AND PUBLIC WELFARE OF THE INHABITANTS OF THE TOWN SHALL BE LIENS UPON SUCH PROPERTY TO BE COLLECTED IN THE SAME MANNER AS MUNICIPAL TAXES ARE COLLECTED.

ORDINANCE TO ASSESS COSTS OF MUNICIPAL SERVICES AS MUNICIPAL TAXES

BE IT ORDAINED, by the Mayor and Town Council of Laytonsville, Maryland in public meeting assembled, that pursuant to Article 23A, Section 2(17) of the Annotated Code of Maryland, that an ordinance to authorize and empower the Mayor and Town Council of Laytonsville on behalf of the Town to provide that any charge, tax or assessment made against any real property in the Town for the rendition of municipal services shall be a lien upon such real property and collected in the same manner as municipal taxes is hereby enacted to read as follows:

Sec. 1. Scope and Intent of Ordinance

The provisions of this Ordinance are intended to be in addition to any other method of assessment, collection and enforcement of charges, taxes or assessment of lawful charges for the provision of municipal services to remedy any violation of the Town Code or lawful directive of a Town official or rendered to protect the public health, safety or welfare of the inhabitants of the Town of Laytonsville.

Sec. 2. Authority of Mayor and Town Council

The Mayor and Town Council of Laytonsville, Maryland is hereby authorized and empowered, subject to the Notice provisions of Section 3 of this Ordinance, to assess, collect and enforce any charge, tax or assessment of lawful charges for the provision or rendition of municipal services by the Town or its agents, employees or designees to remedy any violation of the Town Code or lawful directive of a Town official relating to real property or municipal services rendered with respect to real property to protect health, safety or welfare of the inhabitants of the Town of Laytonsville and such charge, tax or assessment shall be a lien upon such real property and collected in the same manner as municipal taxes.

Sec. 3. Notice

(A) Prior to the assessment of any charge, tax or assessment or collection thereof under the provisions of this Ordinance, the Mayor and Town Council or its authorized designee shall notify the owner, lessee, agent or person in charge of the property of the conditions on the property or right-of-way abutting the property or use thereof which are in violation of the Town Code or present a threat to the public health, safety or welfare and direct the owner, lessee, agent or person in charge of the property to correct the offending conditions within ten (10) days after receipt of the notice or failing to do so may require the Town to correct the offending condition and assess and collect the cost of remediation in the same manner as municipal taxes.

(B) The Notice shall be in writing and may be personally served or may be mailed to the owner or owner's agent shown on the assessment records of the county.

(C) Written notice shall not be required to perform municipal services or corrective actions which are deemed to be an emergency by the Mayor and Town Council or their authorized designee.

Sec. 4. Rendition of Municipal Services

The Mayor and Town Council or their authorized designee is authorized and empowered to employ agents or contractors to perform municipal services under this Ordinance and to enter private property to perform services to remedy the offending condition which has not been remedied pursuant to Section 3 of this Ordinance. After the rendition of the municipal services the costs of the services shall be a lien upon such real property and collected in the same manner as municipal taxes.

Adopted this 5th day of October, 2010 by the Town Council of Laytonsville, Maryland.

Charles W. Oland, Mayor

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the Town Council of Laytonsville in public meeting on the 5th day of October, 2010 and shall become effective on the 24th day of October, 2010.

Cathryn D. Buit, Clerk