

TOWN OF BOONSBORO, MARYLAND

RESOLUTION

A RESOLUTION TO AMEND THE CHARTER OF THE TOWN OF BOONSBORO SECTION 712 TO STRIKE THE REQUIREMENT THAT PROPERTIES WITH OVERDUE TAX DEBTS WILL BE SOLD AT TAX SALE ONLY UPON BEING IN ARREARS FOR THREE FISCAL YEARS AND PERMIT DELINQUENT PROPERTIES TO BE SOLD AT TAX SALE DURING THE SAME FISCAL YEAR IN WHICH THEY FALL INTO ARREARS

RECITALS

WHEREAS, the Charter of the Town of Boonsboro, Section 712 establishes the timeframe for when taxes shall be due, when they shall be considered overdue, and when delinquent properties shall be collected by tax sale, and states that “[a]ll taxes not paid and in arrears after the first day of the third fiscal year shall be collected as provided in Section 713”; and

WHEREAS, the Mayor and Council of the Town of Boonsboro desire to remove the language of Section 712 requiring that a property be in arrears for three fiscal years before pursuing collection via tax sale in order to permit the Town to begin collecting delinquent taxes in the same fiscal year in which they fall into arrears; and

WHEREAS, the Mayor and Council have determined that it is in the best interests of the citizens of the Town to remove the language in Section 712 requiring that a property be in arrears for three fiscal years before pursuing collection via tax sale;

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Boonsboro, pursuant to Article XI-E of the Maryland Constitution, and Section 4-301 *et seq.* of the Local Government Article of the Maryland Code, that the Charter of the Town of Boonsboro be and the same is hereby amended as follows:

- 1. The Charter of the Town of Boonsboro, Section 712 thereof, entitled *When taxes are overdue*, be and is hereby amended by revising section 712, to read as follows:**

The taxes provided in this charter are due and payable on the first day of July in the year for which they are levied and are overdue and in arrears on the first day of the following October. They shall bear interest while in arrears at the rate established by the council for each month or fraction of a month until paid. All taxes not paid and in arrears ((after the first day of the third fiscal year)) shall be collected as provided in Section 713.

BE IT FURTHER RESOLVED that any provision of the municipal Charter that is inconsistent with the amendment herein, be and is hereby repealed to the extent of the inconsistency.

BE IT FURTHER RESOLVED that the Mayor shall give notice of the adoption of this Resolution proposing to amend the Municipal Charter pursuant to Section 4-304(b) of the Local Government Article of the Maryland Code.

BE IT FURTHER RESOLVED that pursuant to Maryland Law this Resolution to amend the Charter of the Town of Boonsboro shall become effective on the fiftieth (50th) day after its adoption.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE
TOWN OF BOONSBORO, MARYLAND

Heather Slough, Town Clerk

Howard Long, Mayor

Date of Introduction: , 2020
Date of Adoption: , 2020
Effective Date: , 2020

PREPARED BY:
SALVATORE & MORTON, LLC
TOWN ATTORNEYS

((double parentheses)) = provision to be repealed from Charter