

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

CHARTER AMENDMENT RESOLUTION NO. 302

Introduced by \_\_\_\_\_ Council President Ringsaker \_\_\_\_\_

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF  
HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL  
GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF  
MARYLAND AND SECTIONS 33 AND 34 OF THE CITY CHARTER  
TO AMEND SECTION 75 CITY PROPERTY; SALE; TRANSFER OR  
CONVEYANCE**

On: 6/3/2024

at: 7:00 p.m.

Charter Amendment Resolution introduced, read first time, ordered posted and public hearing scheduled.

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Charter Amendment Resolution having been published according to the Charter, a public hearing was held on July 1, 2024 at 7:00 p.m., and concluded on July 1, 2024 at 7:02 p.m.

EXPLANATION  
Underlining indicates matter added to existing law.  
**[Bold Brackets]** indicate matter deleted from existing law.  
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

Section 75 of the City Charter is to be amended as follows, with the words underscored to be added and the words in bold brackets to be deleted.

- A. Whenever the Mayor and City Council of Havre de Grace determines that any City-owned real estate or interest therein, other than utilities, is no longer needed for any public use, and authorizes the sale, transfer or conveyance of the same, it shall be offered for sale to the general public by sealed bid. The City Council shall, in the approving resolution, set all bid specifications, including any minimum bid amount.
- B. A notice offering the general public the opportunity to place a bid on said real estate or interest shall be (i) published in a newspaper having a general circulation in the City and in such other publications as the City Council may choose, for at least three (3) consecutive weeks immediately prior to the deadline for the acceptance of bids, and (ii) posted at City Hall for three (3) consecutive weeks prior to the deadline for the acceptance of bids. The notice shall contain information concerning the bid process and bid specifications, including (i) any minimum bid and deposit requirement, (ii) how, where, and when to place bids, (iii) the date, time, and place of the opening of bids, (iv) the location of the real estate or interest, and (v) the legal description of the real estate or interest as recorded in the land records of Harford County. Said bids shall be sealed and filed by bidders with the Director of Administration.
- C. All bids shall be opened and read aloud at City Hall on the date and time specified in the bid requests. The highest bid that meets all specifications shall constitute an acceptance of the City's offer to sell the subject real estate or interest, subject to all bid specifications and the conditions contained in this section.
- D. Anything contained in this Section to the contrary notwithstanding, if it is determined by not less than five of the members of the City Council in the authorizing resolution to be in the best interest of the City, the City Council may (i) reject any and all bids if, in its opinion, it is in the best interests of the City to do, or (ii) waive the provisions of this Section pertaining to bid requirements and may authorize a sale by negotiated contract or a shortened notice schedule.
- E. Unless the approving resolution expressly provides otherwise, the settlement or closing for the property or interest therein that is the subject of the sale, transfer, or conveyance shall take place within one (1) year from the date of the election approving the same.
- F. Unless the approving resolution expressly provides otherwise, all City-owned real estate and interests therein shall be sold, transferred, and conveyed "as is" as to its title and physical condition.
- G. The sale, transfer or conveyance of said real estate or interest therein shall occur only after approval of a majority of legal voters casting ballots at a general or special election held for that purpose. Public notice of proposed sale, transfer or conveyance and the election concerning same shall be made in a newspaper having general circulation in the City of Havre de Grace, published at least once a week for at least three (3) consecutive weeks immediately prior to the election. Notice shall also be publicly displayed at City Hall for three (3) consecutive weeks prior to the election. The notice shall include the following information: (i) the location of the real estate or interest, (ii) the legal description of the real estate or interest as recorded in the land records of Harford County, (iii) the current appraised value of the real



estate or interest for tax purposes as determined by the Maryland State Department of Assessments and Taxation, (iv) the proposed purchase price, and (v) the proposed use of the real estate or interest.

H. Unless the time is extended by resolution of the Mayor and City Council for good cause in the exercise of its discretion, if the settlement or closing does not take place within one (1) year from the date of the election approving the subject sale, transfer, or conveyance, or in the event the purchaser fails to fulfill all bid requirements and the conditions contained in this Section, the authorizing resolution and any and all agreements, rights, obligations, and liabilities between the City and the proposed grantee for the sale, transfer, or conveyance of the subject property or interest therein shall thereupon be deemed terminated, extinguished, and of no further force or effect. If in the event all requirements as outlined in this Section have not been fulfilled, settlement or closing shall not take place.

I. A referendum shall not be required under the following circumstances:

- (1) The sale, transfer or conveyance of any drainage or utility easement.
- (2) The sale, transfer or conveyance of real estate by virtue of deeds and boundary line agreements which establish property lines and right-of-way lines.
- (3) The sale, transfer or conveyance of real estate acquired in connection with the tax sales or the foreclosure of tax liens.

**[J. Upon the completion of any sale, transfer or conveyance of City real estate pursuant to this section, all net profits therefrom shall be held separate and apart from the general funds of the City and reserved for the exclusive use and purpose of acquiring or funding the condemnation of property or an interest therein for a public purpose pursuant to City Charter Section 73.]**

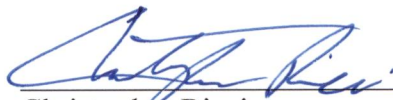
**NOW, THEREFORE**, it is determined, decided, and resolved by the City Council that the aforementioned is hereby approved.

ADOPTED by the City Council of Havre de Grace, Maryland this 15<sup>th</sup> day of July, 2024.

SIGNED by the Mayor and attested by the Director of Administration this 16<sup>th</sup> day of July, 2024.

ATTEST:

MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE

  
 \_\_\_\_\_  
 Christopher Ricci  
 Director of Administration

  
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 William T. Martin  
 Mayor

Introduced/First Reading: 6/3/2024  
 Public Hearing: 7/1/2024  
 Second Reading/Adopted: 7/15/2024  
 Effective Date: 9/3/2024