

**Chapter A360**

**PUBLIC LOCAL LAWS**

**House of Delegates**

NO. 310

**[Adopted by the House of Delegates 2-21-1918; Chapter 48 approved 3-29-1918;  
adopted by The Commissioners of St. Michaels 3-29-1918 by Ord. No. 32]**

**A BILL  
ENTITLED**

AN ACT to authorize the Commissioners of St. Michaels to appoint a Utilities Commission to have charge of the Plant and system for lighting the streets of St. Michaels and for furnishing light and power to the citizens thereof and vicinity.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the Commissioners of St. Michaels be and they are hereby authorized and empowered to appoint three citizens of the said town to constitute a Utility Commission to have charge of the lighting of the streets of said town and supplying the citizens thereof and vicinity with electrical light and power.

SEC. 2. It shall be the duty of the Commissioners of St. Michaels on or before June 15th, 1918, to appoint three citizens of the town of St. Michaels, to wit: Sol Caplan, Norman H. Shannahan and H. Clay Dodson to serve respectively for the remainder of one, two and three years, each from June 15th, 1918, as Utility Commission of St. Michaels, which Commission shall have charge of the municipal lighting plant or system of St. Michaels hereafter acquired by the Town and each successive year thereafter appoint one member of said Commission to serve for three years from Jan. 1st of the year for which he shall be appointed, but if a vacancy shall occur at any time by reason of death, resignation, removal from office or otherwise, the vacancy shall be filled by the Commissioners of St. Michaels in the same way as provided for in the original appointment, by the appointment of a suitable person to serve for the remainder of the term of the member whose death, resignation, removal from office the vacancy was created. The Commission so appointed shall have full charge of the operation, management and maintenance of the utility herein referred to, including the power to make contracts in the name of the Commissioners of St. Michaels, to sue in the name of the Commissioners of St. Michaels for the collection of any or all indebtedness due said commission, or for the performance of contracts made with the Commission; to purchase material, employ all such assistants, skilled or unskilled, and labor as may be necessary for the proper performance of the duties, and to fix their compensation; to make such rules and regulations for the management of said electrical plant or system under their charge and for their own government as they deem proper, to make extensions, additions or improvements to the plant or system, provided the approval of the Commissioners of St. Michaels shall be first secured, where the costs of such extension, addition or improvements exceed five hundred (\$500.00) dollars and provided that where the aggregate cost of any extension, addition or improvement shall exceed two hundred (\$200.00) dollars the Commission shall secure competitive bids for the purchase of all material for the use

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of the plant or system under their control including fuel, and the contract shall be awarded to the lowest bidder, based on the specifications upon which the respective bids are invited; to fix and revise rates, provided that no revision of the rates, in existence at the time the system come under the control of the Commission, shall become effective, nor any other rates which may thereafter be made until, by formal resolution, approved by the Commissioners of St. Michaels and provided further that the Commission shall give at least 15 days previous notice, by publication in some newspaper published in the Town of St. Michaels, or otherwise of the proposed revision of rates and grant such hearings, when practicable, as may be desired by the citizens. The Commission shall within ten days after being appointed organize by electing one of their number President, and also a Secretary and a Treasurer, either or both of the last named may or not be members of said Commission, and the same person may hold both offices and shall serve for one year or until the appointment and qualification of his or their successor or successors. No bills or expenses incurred in the management and operation of said plant or system shall be paid except by check of the Treasurer countersigned by a member of the Commission after said bills, except authorized weekly payrolls and minor expenses of the plants, shall have been approved and ordered paid by the Commission. The Treasurer shall have charge of all revenues arising from the system under the control of the Commission, but all bank accounts of such funds shall be in the name and to the credit of the utilities Commission of St. Michaels. He shall keep a separate and accurate account of all receipts and disbursements and shall annually on or before the first day of February make a complete and detailed report for the fiscal year, which shall begin on January 1st, and end of December 31st, of each year, which shall be audited by such committee or person as may be appointed by the Commissioners of St. Michaels and at such other times as he may be required to do so by the Commission or by the Commissioners of St. Michaels, he shall furnish any information desired. The Treasurer shall give such bond for the faithful performance of his duties as the Commissioners of St. Michaels shall require, the cost of which shall be paid by the Commission and at the expiration of his term of office shall turn over all money, books and papers belonging to his office to his successor.

SEC. 3. The salary of each Utilities Commissioner as such shall be \$25.00 per annum and such salaries shall be payable in quarterly installments and each Commissioner, before assuming the duties of his office, shall take the same oath as is now prescribed for the other officers of the Town of St. Michaels and said Commission shall meet for the transaction of business at least once a month and at such other times as it may be deemed necessary.

SEC. 4. The said St. Michaels Utilities Commission shall be and they are hereby required to apply all revenues from the electric plant or system to pay the expenses of properly keeping up and operating said plant or system, and pay over the surplus, if any remains, to the Commissioners of St. Michaels semi-annually on or before the 31st day of May and the 30th day of November in each and every year, to be used by the Commissioners of St. Michaels for payment of interest and for the redemption of the bonds bearing against the plant or system; and if at any time the revenues shall be insufficient for conducting and operating said electrical system, until the same shall become self-sustaining, then said St. Michaels Utility Commission shall have authority and are hereby empowered to draft upon the Commissioners of St. Michaels to meet such deficiency and said Commissioners of St. Michaels shall honor the same out of any funds in their hands unappropriated to such purposes, and should the Town Commissioners of St. Michaels not have the necessary funds or provisions therefor to meet such draft, then the Commissioners of St. Michaels are authorized and empowered to borrow on

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the faith and credit of the Town or raise by a special tax the funds necessary to meet the deficiency.

SEC 5. That any person designedly or negligently injuring the lighting plant or system or any part thereof, or attachment thereto, shall be deemed guilty of a misdemeanor and shall for such offense forfeit and pay to the Commissioners of St. Michaels a fine not exceeding \$50.00 to be recovered by said Commissioners of St. Michaels as other fines are collected.

SEC. 6. The Commissioners of St. Michaels shall at all times have the right to examine or have examined, the books and accounts of said Utility Commission and have the power to remove any member of the Commission, against whom charges may be filed and proved, by formal resolution passed by unanimous vote of the Commissioners of St. Michaels; provided, however, that should a contingency arise whereby such action is taken, the member thus removed shall have the right to a trial before the Circuit Court for Talbot County.

SEC. 7. That in addition to the powers above enumerated the said Utility Commission shall have the right to erect electric light poles or conduits, without special permit, but notice must be given to the Commissioners of St. Michaels in writing of an intention to make such openings and erect such poles and the Commission is required to have the openings carefully guarded to avoid accident and to restore or comply with the requirements of the Town as to restoring, the roadbed or sidewalk to its normal conditions.

SEC. 8. That the Treasurer of said Commission shall daily deposit the funds of the Commission in his hands, whenever such funds shall exceed \$1.00 in such bank as the Utilities Commission may direct.

SEC. 9. The said Utility Commission shall have full authority to sell to the Commissioners of St. Michaels and to the inhabitants of St. Michaels and vicinity electricity for lighting and other purposes.

SEC. 10. *Be it enacted*, That this Act shall take effect from the date of its passage.

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NO. 288

[Adopted by the House of Delegates 2-20-1918; Chapter 49 approved 4-2-1918;  
adopted by The Commissioners of St. Michaels 4-2-1918 by Ord. No. 33]

**A BILL  
ENTITLED**

AN ACT to authorize and empower the Commissioners of St. Michaels to purchase of Thomas E. Harrison, Norman M. Shannahan, Sol Caplan and H. Clay Dodson, the electric lighting system now owned by them, including the capital stock, real estate, poles, wires and machinery, meters, rights, privileges and franchises pertaining thereto.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Commissioners of St. Michaels be, and they are hereby authorized and empowered to purchase of Thomas E. Harrison, Norman M. Shannahan, Sol Caplan and H. Clay Dodson, trading as the "St. Michaels Utilities Commission," all their electric lighting plant and appurtenances including real estate, capital, stock, poles, wires, meters and all machinery and property connected therewith, together with all of its rights and franchises pertaining thereto, upon such terms and conditions as may be agreed upon, not exceeding the cost of the same, including all expenses or expenditures incurred in erecting and constructing the same and any purchases of material therefor and counsel fees and other expenses incurred by said company in defending any suit which has been or may hereafter be brought against said company for any matter connected with the construction and operation of said electric lighting plant or system and any and all judgments which may be rendered by any Court against the company for any matter connected with the construction and management of the electric system herein referred to.

SEC. 2. *Be it enacted,* That in order to consummate the purchase herein provided for, the Commissioners of St. Michaels be and are hereby authorized and empowered to borrow on the faith and credit of the town of St. Michaels upon the promissory notes or coupon bonds of said town, such sums of money as may be necessary to enable them to consummate the purchase herein authorized; provided, however, that the aggregate sums of money which may be borrowed shall not exceed twenty-five thousand (\$25,000.00) dollars and provided further that the rate of interest on the said promissory note shall not exceed six per cent. per annum. The said bonds shall be coupon bonds and designated as "St. Michaels Electric Lighting Bonds" and of the denomination of one hundred (\$100.00) dollars to be signed by the President of the Commissioners of St. Michaels and countersigned by the Town Clerk thereof, attested by the corporate seal of the Town and consecutively numbered from one to two hundred fifty, both inclusive, and shall bear interest at the rate of, not exceeding five per cent per annum, payable semi-annually on the first day of January and July in each year accounting from July 1st, 1918, and at such place as the Commissioners of St. Michaels shall designate, and said bonds shall have printed on them a distinct reference to this Act authorizing their issue and the ordinance of the Commissioners of St. Michaels, and shall be exempted from all taxation for State, county and municipal purposes, and a statement that the proposition for their issue has been legally

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approved by the qualified voters of the Town and shall have appropriately denominated on them some designation of words to indicate the purpose for which they are issued.

SEC. 3. *Be it enacted*, That the said bonds to be issued under this Act shall mature in numerical order to the amount of five hundred (\$500.00) dollars, in each and every year, beginning July 1st, 1920, and that the said bonds with interest thereon shall be paid and cancelled by the said Commissioners of St. Michaels to the amount of five hundred (\$500.00) dollars, during each and every year beginning as aforesaid, until the whole of the said bonds shall have been paid, and the date of issue shall be the same on all bonds issued under this Act, which date shall be July 1st, 1918, and the same, or so many thereof as may, from time to time, in the judgment of the Commissioners of St. Michaels be deemed necessary, shall be advertised by the Commissioners of St. Michaels and sold to the highest bidder for cash, provided that the same shall be sold for not less than their par value and accrued interest.

SEC. 4. *Be it enacted*, That for the purpose of redeeming said bonds at maturity and for securing the payment of the interest thereon, the Commissioners of St. Michaels shall apply any surplus which may be received from time to time from the operation of the said electric plant, (a separate account of which shall kept) to the payment of interest aforesaid and the principal of the bonds issued under this Act as they mature; and should this be sufficient for this purpose, then the Commissioners of St. Michaels shall levy upon the assessable property of the Town such additional sum as shall be necessary to pay all interest on all of the aforesaid bonds semi-annually as it shall accrue, and five hundred (\$500.00) dollars of the bonds created by authority of this Act, commencing July 1st, 1919, and the funds thus arising, shall not be used for any purpose other than the operation, maintenance, repair, betterments, extension of the system and other legitimate purposes connected therewith, or for the payment of the aforesaid bonds and interest, and any notes which the Commissioners of St. Michaels may issue for the purpose of borrowing money temporarily, pending the sale of the bonds herein authorized, and authority is hereby conferred upon the Commissioners of St. Michaels for the purpose of securing such temporary loan, and provided that the total bonded and floating indebtedness of the Town shall not at any time exceed fifteen per cent of the taxable basis of the Town.

SEC. 5. *Be it enacted*, That all of the provisions of the Charter of St. Michaels and amendments thereto, contrary to the intent and purposes of this Act are hereby repealed for the purpose of this Act and in so far as they are inconsistent there with.

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NO. 276

[Adopted by the House of Delegates 2-19-1918; Chapter 47 approved 4-2-1918;  
adopted by The Commissioners of St. Michaels 4-2-1918 by Ord. No. 34]

**A BILL**  
ENTITLED

AN ACT to amend Article 21 of the Code of Public Local Laws of Maryland, title "Talbot County," sub-title "St. Michaels," by repealing Section 196B and re-enacting the same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 196B of Article 21 of the Code of Public Local Laws of Maryland, title "Talbot County," sub-title "St. Michaels," as passed by Chapter 239 of Acts of Assembly of 1908, be, and the same is hereby repealed and re-enacted to read as follows:

Section 196B. *And be it enacted,* That the Commissioners of St. Michaels are hereby authorized and empowered to borrow on the faith and credit of the Town for the use of the Town any sum or sums of money not exceeding in the aggregate \$5,000.00 and may issue bonds or other evidences of indebtedness for the same and in such sums and payable at such times as they may, by ordinance prescribe; provided that the payment of said bonds or other evidences of indebtedness issued under authority of this section and the interest thereon, must be paid by the Commissioners of St. Michaels from the general taxes levied for the use of the Town under the power heretofore granted said Commissioners the levying or collecting any special tax for the payment of such bonds or other evidences of indebtedness being expressly prohibited.

SEC. 2. *And be it enacted,* That this Act shall take effect from the first day of June, 1918.