

# **CHARTER**

## **BRUNSWICK**

(See note (7))

### **Article I. In General.**

#### **Section 16-1. Continuation of corporation.**

The citizens of the City of Brunswick are and shall continue to be a body corporate, by the name of the mayor and council of Brunswick and by that name shall have perpetual succession, sue, and be sued, have and use a common seal and may purchase and hold real estate or dispose of the same for the benefit of the city. (Code 1930, art. 11. § 32; 1943, ch. 740, § 1.)

#### **Section 16-2. Boundaries.**

The limits of the City of Brunswick begin at a stone planted at the northeast corner of a culvert under the Chesapeake and Ohio canal, such place of beginning being at the end of the thirteenth line of a tract of land conveyed to the Real Estate and Improvement Company at Baltimore City by Mary Gertrude Orrison, by deed dated December seventh, eighteen hundred and eighty-nine and recorded among the Land Records of Frederick County, in Liber W.I.P. number nine, folio five hundred and eighty-six, etc., and running thence with and binding reversely on the lines of the above mentioned conveyance in the Maryland State Plane NAD 83/91 datum the following courses and distances, to wit:

1. North 17°38'45" East, 651.75 feet to a stone, thence
2. North 01°21'15" West, 660.00 feet to a stone, thence
3. North 02°21'15" West, 173.25 feet to a stone, thence
4. North 12°08'45" East, 2,128.50 feet to a stone, planted in the center of a lane leading to the property owned by John Frazier, said stone being also planted at the corner of said Frazier's property, thence with the center of said lane
5. North 41°51'15" West, 1,089.00 feet to a stone, planted in the road leading from Parker's Mill to the City of Brunswick, thence with said road
6. North 30°23'45" East, 115.50 feet to a stone, thence
7. North 68°36'15" West, 95.70 feet to a stone, thence
8. North 70°36'15" West, 316.80 feet to a stone, thence
9. North 31°51'15" West, 356.89 feet to a point, then leaving the ninth (9<sup>th</sup>) line of the limits of the City of Brunswick as described in the 1957 Town Charter to cross and include part of the property acquired by M. Roland Biser and Evelyn Lorraine Biser, as tenants by the entirety by a deed dated March 23, 1993 and recorded among the Land Records of Frederick County, Maryland in Liber 1875 at folio 548:
10. North 53°29'29" East, 575.99 feet to a point, then
11. North 37°01'02" West, 297.67 feet to a point, said point being on the northerly right-of-way line of Maryland Route 464 as shown on a plat entitled "Plat of Lot

Created by Public Taking, Biser's Overlook" recorded among the Land Records of Frederick County, Maryland in plat book 39 at page 158; said northerly right-of-way line being also shown on State Roads Commission of Maryland Plat no. BME, then binding with said Maryland Route 464:

12. North  $52^{\circ}58'58''$  East, 576.44 feet to a point, then
13. 480.60 feet along the arc of a curve deflecting to the right, having a radius of 1309.28 feet and a chord bearing and length of north  $63^{\circ}29'55''$  East, 477.91 feet to a point, then leaving said Maryland Route 464 and binding with the North  $02^{\circ}56'00''$  West, 1142.81 foot plat line of a plat entitled "Boundary Survey of Property Now Known as Wire Bender Farm" recorded among the aforesaid Land Records in plat book 15 at page 69; the ninth (9<sup>th</sup>) line or south  $03^{\circ}52'19''$  East, 525.25 foot line of a deed recorded among the aforesaid Land Records in Liber 2221 at Folio 406; and the first (1<sup>st</sup>) or North  $03^{\circ}45'$  West, 435.6 foot line of a deed recorded among the Land Records of Frederick County, Maryland in Liber 703 at folio 283 the following course and distance:
  14. North  $04^{\circ}31'32''$  west, 2060.97 feet to a point, then binding with the fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) lines of a deed recorded among the aforementioned Land Records in Liber 1471 at Folio 570 the following two (2) courses:
    15. North  $84^{\circ}49'31''$  West, 1,365.16 feet to a point, then
    16. North  $47^{\circ}23'14''$  West, 625.85 feet to a point, said point being on the North  $55^{\circ}52'$  East, plat line of a plat entitled "Plat of Rosement" recorded among the aforesaid Land Records in plat book STH1 at page 95; then binding with the southerly limits of Lots 50, 51, 52 and part of Lot 56 as shown on said plat:
  17. South  $50^{\circ}00'32''$  West, 746.75 feet to a point, then continuing with the southerly limits of Lots 49, 48, 47 and part of Lot 46 as shown on the aforesaid plat, the following course and distance:
    18. South  $49^{\circ}06'32''$  West, 638.64 feet to a point, then with the ninth (9<sup>th</sup>) or North  $43-1/4^{\circ}$  West, 18-6/10 perch line of a deed recorded among the aforementioned Land Records in Liber 619 at Folio 523:
    19. South  $47^{\circ}59'34''$  East, 314.31 feet to a point, then with the eighth (8<sup>th</sup>) or North  $27-1/2^{\circ}$  West, 171-3/4 perch line of Parcel No. 1 of a deed recorded in the aforementioned Liber 619 at Folio 523; thence with said line the following course and distance:
      20. South  $31^{\circ}55'57''$  East, 2579.81 feet, then binding with the westerly or North  $24^{\circ}35'57''$  west, 225.00 foot plat line of Lot 1, Section 2, Biser's Overlook as shown on a plat entitled "Combined Preliminary/Final Plat, Lots 1, 2 and 3, Section 2, Biser's Overlook", recorded among the aforesaid Land Records in plat book 41 at page 51:
      21. South  $30^{\circ}28'21''$  East, 225.00 feet to a point, said point being on the aforesaid northerly right-of-way limits of Maryland Route 464 (Point of Rocks Road), then binding with said right-of-way:
      22. North  $52^{\circ}58'58''$  East, 518.05 feet to a point, then leaving said northerly right-of-way of Maryland Route 464:
      23. South  $37^{\circ}01'02''$  East, 257.13 feet to a point, said point being the southerly end of the North  $31^{\circ}09'38''$  West, 177.13 foot line of Lot 2 as delineated on the

aforementioned plat book 41 at page 51, then binding with the southerly and part of the westerly platted limits of said Lot 2, the following two (2) courses:

24. South 52°58'58" West, 275.49 feet to a point, then
25. North 36°30'34" West, 16.02 feet to a point, then with the third (3<sup>rd</sup>) or South 57°15' West, 70 foot line of the first parcel of Parcel No. II of the aforementioned Land Records in Liber 997 at Folio 662 and with the third (3<sup>rd</sup>) or South 57°15' West, 50 foot line of the second parcel of Parcel No. II of the aforementioned deed recorded in Liber 997 at Folio 662 the following course and distance:
26. South 53°29'29" West, 119.90 feet to a point, then with part of the second (2<sup>nd</sup>) or 225 foot line of Parcel No. 1 as described in the aforementioned Liber 997 at Folio 662 the following course and distance:
27. South 31°02'38" East, 23.95 feet to a point at the beginning of the third (3<sup>rd</sup>) or 150 foot line of Parcel No. I of a deed recorded among the aforementioned Land Records in Liber 997 at Folio 662; thence running with all of said 150 foot line the following course and distance:
28. South 53°29'29" West, 145.53 feet to a point, said point being on the ninth (9<sup>th</sup>) or North 28 ¼° west, 617.40 foot line of the 1957 chartered limits of the Town of Brunswick, then binding with said line:
29. North 31°51'15" West, 230.41 feet to a point, thence
30. South 53°38'45" West, 1,565.00 feet to a stone, thence
31. North 55°21'15" West, 980.00 feet to a stone, thence
32. North 15°06'15" West, 1,318.00 feet to a stone, thence
33. North 41°06'15" West, 681.00 feet to a stone, thence
34. North 69°36'15" West, 1,515.00 feet to a stone, thence
35. North 57°06'15" West, 558.00 feet to a stone, thence
36. North 48°06'15" West, 337.00 feet to a stone in the southeast line of Maryland Route 17 (former Brunswick Road), thence crossing said Route 17 and the farm formerly owned by Daniel Shafer and now owned by Olive S. Long.
37. North 59°06'15" West, 1,720.00 feet to a point, said point being on the eleventh (11<sup>th</sup>) or North 20°15' East, 256.18 perch line as described in a conveyance from John A. Hope, Jr. and Lillie V. Hope to the Hope family limited partnership by deed dated December 29, 1994 and recorded among the Land Records of Frederick County, Maryland in Liber 2068 at Folio 896, then binding with part of said line as now surveyed:
38. North 18°18'45" East, 310.00 feet to a point, said point being on the southerly right-of-way limits of relocated Maryland Route 17 as delineated on State Roads Commission Right-of-Way Plat no. 24594, said point being 40.00 feet left of base line station 17+91.23 as delineated on the aforesaid plat, then binding with the southerly limits of said Maryland Route 17 (as shown on Maryland State Road Plats 24595, 29405, 29406) the following thirteen (13) courses:
39. North 48°16'29" West, 483.77 feet to a point, thence
40. South 41°43'31" West, 60.00 feet to a point, thence
41. North 48°16'29" West, 175.00 feet to a point, thence
42. North 17°18'40" West, 116.62 feet to a point, thence
43. North 48°16'29" West, 925.00 feet to a point, thence
44. South 41°43'31" West, 50.00 feet to a point, thence

45. North 48°16'29" West, 225.00 feet to a point, thence
46. North 34°14'19" West, 206.16 feet to a point, thence
47. North 48°16'29" West, 400.00 feet to a point, thence
48. North 64°58'27" West, 52.20 feet to a point, thence
49. North 39°44'38" West, 101.12 feet to a point, thence
50. North 48°16'29" West, 269.21 feet to a point, thence
51. 384.61 feet along the arc of a curve deflecting to the right, having a radius of 1,949.86 feet and a chord bearing and length of North 42°37'27" West, 383.98 feet to a point, said point being 40.00 feet left of baseline station 50+95.93 as delineated on State Road Commission Right-of-Way Plat no. 29406, then leaving said Maryland Route 17 and binding with the first (1<sup>st</sup>) line as described in a conveyance from Leon B. Enfield et ux to Leon B. Enfield and Shirley G. Enfield, husband and wife, by deed dated June 17, 1991 and recorded among the Land Records of Frederick County, Maryland in Liber 1716 at Folio 1026 and also the centerline of that portion of the Burkittsville-Brunswick Road now abandoned (SRC Plat 35592)
52. North 65°56'34" West, 587.65 feet to a point, then leaving said centerline of the Burkittsville-Brunswick Road (now abandoned) to cross and include part of the said Liber 1716 at Folio 1026, the following three (3) courses:
  53. North 86°59'36" West, 35.80 feet to a point, then
  54. North 65°56'34" West, 22.88 feet to a point, then
  55. North 39°20'44" West, 28.72 feet to a point, said point being at centerline station 0+44.91 of the aforesaid Burkittsville-Brunswick Road as delineated on State Roads Commission Right-of-Way Plat No. 35592, then binding with said centerline and the first (1<sup>st</sup>) line of Parcel No. 1 as described in the aforesaid Liber 1716 at Folio 1026 as now surveyed:
56. North 71°59'06" West, 8.49 feet to a point, thence binding with easterly and southerly dedication limits as delineated on Maryland State Roads Plat No. 35592 the following two (2) courses:
  57. South 50°39'16" West, 87.73 feet to a point, then
  58. North 39°20'44" West, 32.73 feet to a point, said point being in or near the centerline of Jefferson Pike (Maryland Route 180), thence binding with said Jefferson Pike in or near the said centerline, thence
59. South 43°55'28" West, 436.29 feet to a point, thence
60. South 43°37'02" West, 2,051.86 feet to a point, thence leaving said centerline of Jefferson Pike
61. South 47°01'58" East, 32.61 feet to a concrete monument found, said point being the northeast front corner of Lot 1, Section 1 as delineated on a plat entitled "Combined Preliminary/Final Plat, Enfield Division" and recorded among the Land Records of Frederick County, Maryland in plat book 20 at page 112, then binding with the westerly platted limits of said Lot 1
62. South 43°32'29" West, 220.82 feet to a point, thence
63. North 61°56'42" West, 34.15 feet to a point, said point being in or near the centerline of the aforesaid Jefferson Pike, then binding with said Jefferson Pike in or near the centerline
64. South 43°37'02" West, 119.28 feet to a point, thence

65. South 41°12'19" West, 720.69 feet to a point, then leaving the centerline of Jefferson Pike (Maryland Route 180, aka Ridge Road from Frederick to Harpers Ferry) and binding with the eleventh (11<sup>th</sup>) through ninth (9<sup>th</sup>) lines as described in the aforesaid Liber 1716 at Folio 1026 (Parcel No. 1) as now surveyed:
66. South 64°53'54" East, 1,701.15 feet to a point, thence
67. South 27°53'51" West, 1,567.45 feet to a rebar and cap found, thence
68. South 72°13'44" East, 1,216.24 feet to a point, thence
69. South 56°58'53" East, 410.52 feet to a rebar and cap found, thence
70. South 11°00'50" West, 274.10 feet to a rebar and cap found, said point being the northeast corner of the "Moore Farm" as conveyed in a personal representative's deed dated September 17, 1996 and recorded in the Frederick County Land Records in Liber 2227 at Folio 303 between Mary Ann Daugherty and Shawn Elaine Daugherty, personal representatives and the Herbert L. Daugherty trust of 1994-cst and the Herbert L. Daugherty trust of 1994-marital, said "Moore Farm" being more particularly described in Liber 409, Folio 503 among the Land Records of Frederick County, Maryland, then binding with the northerly, westerly and southerly limits of said "Daugherty Trust" property as now surveyed:
71. North 56°56'06" West, 479.15 feet to a rebar found, thence
72. North 72°18'39" West, 1,205.59 feet to a point, thence
73. North 61°38'42" West, 623.03 feet to a rebar found, thence
74. North 61°23'09" West, 254.92 feet to a rebar and cap found, thence
75. South 10°04'12" West, 1,285.08 feet to a point, thence
76. South 64°21'58" East, 196.38 feet to a point, thence
77. South 60°21'58" East, 80.65 feet to a point, thence
78. South 64°21'58" East, 349.55 feet to a point, thence
79. South 64°51'06" East, 642.73 feet to a point, thence
80. South 68°20'38" East, 625.36 feet to a point, thence
81. South 70°56'00" East, 835.73 feet to a point, thence
82. South 18°51'54" West, 16.68 feet to a concrete monument found on the East side of a 14' alley as delineated on a subdivision record plat entitled "Brunswick Industrial Company's Addition to the Town of Brunswick" and recorded among the Land Records of Frederick County, Maryland in plat book STH 276 at plat 186, then binding with said East side of said alley
83. South 18°51'54" West, 464.71 feet to a concrete monument found on the North side of Route 478 (Potomac Street also the road leading from Knoxville to Brunswick) thence
84. South 18°51'54" West, and continuing the same until it intersects the Maryland State Line; thence southeasterly, binding on the Maryland State Line until it intersects a line drawn South 24°51'15" East, from the beginning; and thence reversing the said line so drawn and binding thereon, North 24°51'15" West, to the place of beginning.

(Code 1930, art. 11, § 33; 1943, ch. 740, § 1; 1949, ch. 661, § 1; 11-12-57; Char. Res. 04-06, 04-27-04.) **(Rev. 06/04)**

### Section 16-2.1

(Repealed.) (Char. Res. 04-06, 4-27-04.)

### Section 16-3. Powers generally.

The mayor and council of Brunswick shall have the power to pass such ordinances not contrary to the laws and constitution of this state as it may deem necessary.

- (1) For the good government of the city.
- (2) For the protection and preservation of the city's property, rights and privileges.
- (3) For the preservation of peace and good order and securing persons and property from violence, danger and destruction.
- (4) For the protection of the health, comfort and convenience of the citizens of Brunswick and visitors thereto or sojourners therein.
- (5) For the appointment of a board of health and defining and regulating its powers and duties.
- (6) For establishing and maintaining a fire department.
- (7) For erecting and maintaining bridges.
- (8) For establishing, maintaining and regulating an adequate police force.
- (9) To prevent, remove and abate or cause to be removed or abated, all nuisances or obstructions in or upon the sidewalks, streets, highways, lanes or alleys, drains or watercourses or in or upon any lot adjacent thereto and to provide for imposing a fine upon any person causing, creating or maintaining any such nuisances or obstructions.
- (10) To open, close and widen or narrow streets, lanes, roads or alleys within the limits of the city.
- (11) To remove or cause to be removed or to render secure any house, building or other structure or objects that may be dangerous to property, health or to the life or to the limbs of persons entering such house or building, passing along or over any of the highways of the city or residing in the neighborhood thereof.
- (12) To make reasonable regulations in regard to buildings to be erected in the city, including a Building Code.
- (13) To make and establish grades upon the streets and highways of the city.

- (14) To cause sidewalks along the public streets and highways of the city to be graded, paved, repaired or made and curbs to be set, at the cost and expense of the abutting property or the owner thereof, which cost and expense shall be a lien upon the abutting property in favor of the Mayor and council until paid. Such lien may be enforced by distrains and sale in the same manner as the collection of corporate taxes are enforced or the mayor and council may, by fine or otherwise, compel the owner or proprietor of any lot to pave or repave the sidewalks or footways of any street adjacent to such lot and to set curbs along the same, agreeably to the ordinances of the city.
- (15) To cause the streets, ways and alleys, the watercourses, drains, sewers and gutters to be macadamized or paved, kept in repair and cleaned.
- (16) To control and protect the public buildings, ground and property of the city.
- (17) To establish, enact, maintain and regulate a station house or lockup in the city for the confinement of violators of the law and ordinance thereof, and such other buildings for municipal purposes as they may deem necessary and proper.
- (18) To levy a tax and impose a license on dogs and bitches and to prevent horses, cattle, goats, swine, dogs and fowl from running at large in the streets of the city and through vacant buildings and lots thereof.
- (19) To regulate and control all offensive trades, manufactures and traffic in offensive fertilizers and other commodities.
- (20) To prohibit hogpens and slaughterhouses within the limits of the city.
- (21) To require a license or permit to be applied for and obtained by the parties or persons hereinafter mentioned, to fix the amounts for such licenses and permits and to prescribe the penalties to be imposed for failure to procure the license or permits and pay for the same. The money paid for any and all such licenses and permits required by ordinance and issued under the order of the mayor and council shall belong to them for the corporate purposes of the city. The mayor and council may, by and under ordinance, require the following parties or persons, whether individual, firms, associations or incorporated bodies, to apply for and obtain a license or permit:
  - (a) All parties or persons who hawk, peddle, huckster or vend any marketable commodities, wares or merchandise of any description upon or along the streets, alleys or thoroughfares of Brunswick; provided, that no license shall be required of the producer, grower or the manufacturer of such marketable commodities.

- (b) All persons who go from house to house or place to place in the city to sell or dispose of any wares, merchandise, marketable articles or other commodities; provided, that no license shall be required of the producer or manufacturer of such marketable articles or commodities and no license shall be required if the party has already a trader's license issued by the city.
  - (c) All persons, whether they are persons who travel about or otherwise, not being resident physicians or druggists of the city, who dispose of medicine, remedies, nostrums or patent medicines or who dispense medical advice on the streets or in other places of the city; provided, that nothing herein shall prevent the sale of medicine under an ordinary trader's license. When the sales are made from a wagon, carriage or other vehicle, a license for it may also be required.
  - (d) All persons who keep livery stables for the hire of horses, carriages or teams or who keep feed stables.
  - (e) The proprietors of circuses, either for showing or parading in the city.
  - (f) The proprietors or promoters for any theatrical performance, troupe or company and moving picture exhibition or public entertainment who charge an admission fee. Such persons may be required to procure a license for such performance, exhibition or entertainment.
  - (g) The owner or promoter of every merry-go-round or flying horses.
  - (h) All keepers or owners of bowling alleys, bowling saloons, billiard saloons, bagatelle saloons and all pool tables and saloons, whether kept or used by a corporation, firm or individual, and all skating rinks.
  - (i) All persons who keep or own any dray, cart, wagon or other vehicle for transportation in the city of goods, merchandise or other personal chattels.
  - (j) All telephone and telegraph companies having offices in the city and doing business therein.
- (22) To preserve the cleanliness, health, safety, peace and good order of the city and to protect the lives and property of the citizens thereof.

- (23) To punish and suppress vagrancy, gambling and the sale or giving away of spirituous or fermented liquors, lager beer or intoxicating drinks of any kind within the limits of the city.
- (24) To purchase, construct, receive and hold such real and personal property, including buildings as may be necessary or proper for municipal or other purposes, and to control, operate, dispose of and convey the same for the benefit of the city. Also, to establish a market and to regulate the same, and to license the sale of marketable commodities.
- (25) They shall also have power to provide for the codification of all ordinances of the city and to cause the same to be printed, together with the Charter of the city.
- (26) They shall also have power to grant, for a period not exceeding ten years, upon such terms, rates, fares and charges and conditions as may be presented by ordinances, specified franchises or rights in and relating to any of the public property or places, as the right to use any highway, avenue, street, lane or alley, either on, above or below the surface of the surface of the same, and in and along its waterfront. Every such grant shall specifically set forth and define the nature, extent and duration of the franchise or right, shall make provision by way of forfeiture or otherwise of the grant and to secure efficiency of public service at reasonable rates and the maintenance of property in good condition throughout the full term of the grant.
- (27) To suppress, abate and discontinue all nuisances within the corporate limits of the city.
- (28) In addition to the power providing by contract for the lighting of its streets, lanes, alleys, public places and buildings of the city, they shall have the power to construct or purchase, own, improve, extend, repair, maintain and operate an electric light plant for the purpose of lighting the streets, etc., and for furnishing light and power for the use of the citizens thereof and, to this end, to acquire, by gift, grant, lease, purchase or condemnation proceedings, all lands, tenements, rights, ways, privileges and franchises necessary to carry this power into effect.
- (29) To provide for the punishment of any person keeping a vicious or annoying dog and to provide for the killing of any such dog.
- (30) To provide for zoning and the removal of fire hazards. (Code 1930, art. 11, § 43; 1943, ch. 740, § 1.)

Section 16-4. Penalties for violation of city ordinances.

The mayor and council of Brunswick shall have the power to pass ordinances and to fix fines, not to exceed one thousand dollars--\$1,000 in any one case, for a violation of any of the ordinances of the city. In case of nonpayment of any such fines, they may provide by ordinance

for the confinement of the party failing or refusing to pay such fine in the County Jail or the county jail for a period not exceeding six (6) months for any single failure to pay a fine. All fines, penalties or forfeitures imposed by this Charter or any ordinance of the mayor and council may be recovered in the name of the mayor and council of Brunswick before a Judge of the District Court of Maryland, as small debts are recovered, and the money arising therefor shall be paid to the mayor and council for the use of the city. (Code 1930, art. 11, § 44; 1943, ch. 740, § 1; Res. 1, 1-11-72.)

Section 16-5. Authority to require prisoners to do certain work.

The mayor and council of Brunswick are authorized and empowered to pass an ordinance authorizing and directing the chief of police of the city to require all persons of sufficient ability who shall be sentenced to imprisonment in the city lockup by the trial magistrate as a punishment of any crime or misdemeanor committed therein to work upon the public streets and highways of the city or to do some work in connection with the improvements thereof as part of the prison discipline and management. (Code 1930, art. 11, § 45; 1943, ch. 740, § 1.)

Section 16-6. Contracts and purchases—Mayor and councilman prohibited from dealing with city.

No person, elected and qualified as mayor or councilman or any person holding any office by election, appointment or otherwise under the provisions of this Charter shall, during the term of his office, enter into any contract to which the city is a party for the construction of any street, alley, sewer, building or other structure. Any person violating the provisions of this section shall be proceeded against by indictment by the circuit court of the county, and upon conviction, shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both, in the direction of the court. (Code 1930, art. 11, § 36; 1943, ch. 740, § 1.)

Section 16-7. Same—Competitive bidding required for certain material and supplies.

Before the mayor and council makes any purchase of or contract for supplies, materials, or equipment, they shall give ample opportunity for competitive bidding, under such rules and regulations as they from time to time may provide; provided, however, that competitive bids shall not be required for purchases of five hundred dollars (\$500.00) or less. (Code 1930, art. 11, § 36; 1943, ch. 740, § 1; Char. Res. 1976-2, 4-29-76.)

Section 16-8. Eminent domain.

The mayor and council of Brunswick are authorized to acquire, by purchase from the owner thereof, any real or leasehold estate, improved or unimproved, right of way easement, water right or watercourse which they may deem expedient or necessary to purchase and hold for the purpose of building sewers and drains, for the purpose of constructing and operating a general sewerage and drainage system of the city or for the purpose of carrying out or exercising any of the privileges and powers granted the mayor and council by law. If the mayor and council cannot agree with the owners or if any of them are absent from the state, or unknown or without legal capacity to contract by reason of infancy, coverture, insanity or otherwise, it shall be lawful

for the mayor and council to acquire by condemnation any such real or leasehold estate, improved or unimproved, right of way, easement, water right or watercourse in the same manner and by the same proceedings as are provided for condemnation by corporations under Article 33A of the Annotated Code of Maryland, 1957. (Code 1930, art. 11, § 48; 1943, ch. 740, § 1.)

Section 16-9. Effect of Charter.

Nothing contained in this Charter shall affect or in any manner make invalid any of the present ordinances of the mayor and council of Brunswick. Nothing in this Charter shall be construed to release any person from the payment of any taxes now owing by him to the mayor and council of Brunswick. Nothing in this Charter shall affect the tenure of office of the present mayor and council of Brunswick who, by virtue of their election, shall hold office until the mayor and councilmen herein provided for are duly elected and qualified, according to the manner and terms prescribed.

Nothing in this Charter shall be construed to dissolve the corporation known as the mayor and council of Brunswick. Nothing in this Charter shall be construed to release any person from any debt or obligation now due by him to the mayor and council of Brunswick. Nothing in this Charter shall affect in any manner whatsoever the rights, actions, choses in action, suits, either at law or in equity, obligations, properties and effects of the corporation known as the mayor and council of Brunswick. (Code 1930, art. 11, § 54; 1943, ch. 740, § 1.)

Section 16-9.1. (See note (1)) Authority to borrow money; issuance of general obligation bonds and tax anticipation notes.

- (a) The mayor and council of Brunswick shall have the power to borrow money for any public purpose, including the refinancing of any outstanding indebtedness, and to evidence such borrowing by the issue and sale of its general obligation bonds, or notes issues in anticipation thereof, and shall likewise have authority to borrow money in anticipation of the receipt of current taxes and to evidence such borrowing by the issue and sale of its tax anticipation notes, payable as to principal and interest from said taxes when received, the same to be issued and sold in the manner prescribed in sections 31-37, inclusive, of Article 23A of the Annotated Code of Maryland (1966 Replacement Volume), title "Corporations—Municipal," subtitle "Home Rule," subheading "Creation of Municipal Public Debt"; provided, however, that if the ordinance or ordinances authorizing the issue and sale of any of such bonds or notes shall so specify, the bonds or notes may be sold at private sale, without advertisement or publication of notice of sale, or solicitation of competitive bids.
- (b) The issuance and sale of such general obligation bonds, or tax anticipation notes, shall constitute a pledge of the full faith and credit of the mayor and council of Brunswick to the prompt payment, when due, from ad valorem taxes and such other revenues as may be described in the authorizing ordinance or ordinances, of the principal of and interest on such bonds or notes. The maturing principal of and interest on any general obligation bonds may be paid, in whole or in part,

from the proceeds of such benefit assessments or charges, or any combination thereof, as the mayor and council may impose and collect during the life of the bonds, power and authority so to do being hereby specifically granted where appropriate to the public purpose for which the bonds may be issued. In any event, the mayor and council shall, if and to the extent necessary, annually levy upon all property subject to taxation within the corporate limits of Brunswick ad valorem taxes sufficient to provide for the payment of the maturing principal of and interest on any such bonds or notes, without limitation as to rate or amount notwithstanding any limitation contained in this Charter or in any other law, and the issuance and sale of any such bonds or notes shall constitute a covenant to that effect.

- (c) In order to carry out the meaning and intent of this section, the mayor and council are empowered to do all things and to take any action, by ordinance or otherwise, deemed necessary for the regulation, efficient operation and maintenance of any work, plant or system of public improvement, or any part thereof, financed pursuant to the authority of this section.
- (d) The authority and powers contained in this section shall be supplementary to existing law and such authority or powers or any of them may be exercised by the mayor and council of Brunswick notwithstanding any other provision or limitation of law. (2-11-69.)

## **Article II. Elections.**

### Section 16-10. Registration of voters—Required.

Registration shall be essential to the right to vote at any election held under the provisions of this article or under the provisions of any Act of the General Assembly of the state, submitting any proposition or question to the decision of the voters of the City of Brunswick. The registration heretofore made in the year 1941, together with such additions, changes and alterations as may have been made in accordance with the law in force at the time of such registration and together with such additions, changes, and alterations as are hereafter lawfully made, shall constitute such registration. (Code 1930, art. 11, § 34; 1943, ch. 740, § 1; Char. Res. 1976-1, 3-3-76; Char. Res. 6-90, 4-4-90.)

### Section 16-11. Same—Procedure.

Registration with the Board of Supervisors of Elections, Frederick County, Maryland, by a voter who resides in the City of Brunswick, shall be deemed registration for elections in the City of Brunswick. An individual who wishes to register to vote shall register with the Board of Supervisors of Elections of Frederick County. (Code 1930, art. 11, § 34; 1943, ch. 740, § 1; 5-10-56, § 1; Char. Res. 5-8-73; Char. Res. 2-12-74; Char. Res. 6-90, 4-4-90.)