

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK
AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED AT 5100
ROANOKE PLACE, COLLEGE PARK, MARYLAND, FOR A PUBLIC PURPOSE

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to assure the good government of the municipality; protect and preserve the municipality's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the City; and

WHEREAS, pursuant to §5-203 of the Local Government Article, Annotated Code of Maryland, the City pursuant to State law is authorized to acquire real property by purchase; and

WHEREAS, §C1-3 of the Charter of the City of College Park implements and authorizes the Mayor and City Council to exercise the authority granted under State law; and

WHEREAS, the Mayor and City Council have determined that the acquisition of the real property located at 5100 Roanoke Place, College Park, MD 20740, currently owned by the College Park Volunteer Fire Department is required in order for the City to preserve open space to further the City’s strategic plan at this location; and

WHEREAS, the Mayor and City Council have been engaged in negotiations for the acquisition of said property and have been able reach agreement on the terms of a contract of sale for the aforesaid property; and

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Ordinance

CAPS : Indicate matter added in amendment

[Brackets] : Indicate matter deleted in amendment

WHEREAS, the Mayor and City Council desire to use the authority granted to the City under State Law and the City Charter to acquire the property pursuant to the terms of the contract of sale.

Section 1. **NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that the acquisition of the property located at 5100 Roanoke Place, College Park, MD 20740 pursuant to the terms of the contract of sale in substantially the form attached be and it is hereby authorized for the public purpose of maintaining open space to further the City's strategic plan at this location.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City Website, to the City-maintained e-mail LISTSERV, and on the city cable channel, and publish in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

The public hearing, hereby set for **7:30** P.M. on the **27th** day of **September**, 2022, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. This Ordinance shall become effective twenty (20) days after adoption provided that, as soon as practicable after adoption, the City Clerk shall post a fair

summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter. If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 6th day of September, 2022.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the _____ day of _____ 2022.

EFFECTIVE the _____ day of _____, 2022.

ATTEST:

CITY OF COLLEGE PARK

By: _____
Janeen S. Miller, CMC, City Clerk

By: _____
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney