

## **APPENDIX A**

### ***Editor's Note - This Appendix sets out the powers enumerated in Article 23B, Section 22 of the Maryland Municipal Corporations Charter Act.***

- (1) General powers. -- The council shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or this charter as it may deem necessary for the good government of the town; for the protection and preservation of the town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the town and visitors thereto and sojourners therein.
- (2) Specific powers. -- The council shall have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State, for the following specific purposes.
- (3) Advertising. -- To provide for advertising for the purposes of the town, for printing and publishing statements as to the business of the town.
- (4) Aisles. -- To regulate and prevent the obstruction of aisles in public halls, churches and places of amusement, and to regulate the construction and operation of the doors and means of egress therefrom.
- (5) Amusements. -- To provide in the interest of the public welfare for licensing, regulating, or restraining theatrical or other public amusements.
- (6) Appropriations. -- To appropriate municipal monies for any purpose within the powers of the council.
- (7) Auctioneers. -- To regulate the sale of all kinds of property at auction within the town and to license auctioneers.
- (8) Band. -- To establish a municipal band, symphony orchestra or other musical organization, and to regulate by ordinance the conduct and policies thereof.
- (9) Billboards. -- To license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the city, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole, or other place within the town.
- (10) Bridges. -- To erect and maintain bridges.
- (11) Buildings. -- To make reasonable regulations in regard to buildings and signs to be erected, constructed, or reconstructed in the town, and to grant building permits for the same; to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require reasonable charges for permits and inspections; to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings and structures be made safe or be taken down.
- (12) Cemeteries. -- To regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries.
- (13) Codification. -- To provide for the codification of all ordinances which have been or may hereafter be passed.
- (14) Community services. -- To provide, maintain and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment of the inhabitants of the town.
- (15) Cooperative activities. -- To make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions.
- (16) Curfew. -- to prohibit the youth of the town from being in the streets, lanes, alleys, or public places at unreasonable hours of the night.
- (17) Dangerous conditions. -- To compel persons about to undertake dangerous improvements to execute bonds with sufficient sureties conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

- (18) Departments. -- To create, change, and abolish offices, departments, or agencies, other than the offices, departments, and agencies established by this charter; to assign additional functions or duties to offices, departments, or agencies established by this charter, but not including the power to discontinue or assign to any other office, department, or agency any function or duty assigned by this charter to a particular office, department, or agency.
- (19) Disorderly houses. -- To suppress bawdy houses, disorderly houses and houses of ill fame.
- (20) Dogs. -- To regulate the keeping of dogs in the town and to provide, wherever the county does not license or tax dogs, for the licensing and taxing of the same; to provide for the disposition of homeless dogs and dogs on which no license fee or taxes are paid.
- (21) Elevators. -- To require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license.
- (22) Explosives. -- To regulate or prevent the storage of gunpowder, oil, or any other explosive or combustible matter; to regulate or prevent the use of firearms, fireworks, bonfires, explosives, or any other similar things which may endanger persons or property.
- (23) Filth. -- To compel the occupant of any premises, building or outhouse situated in the town, when the same has become filthy or unwholesome, to abate or cleanse the condition; and after reasonable notice to the owners or occupants to authorize such work to be done by the proper officers and to assess the expense thereof against such property, making it collectible by taxes or against the occupant or occupants.
- (24) Finances. -- To levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the town.
- (25) Fire. -- To suppress fires and prevent the dangers thereof and to establish and maintain a fire department; to contribute funds to volunteer fire companies serving the town; to inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards, and to forbid and prohibit the use of fire-hazardous buildings and structures permanently or until the conditions of town fire-hazard regulations are met; to install and maintain fire plugs where and as necessary, and to regulate their use; and to take all other measures necessary to control and prevent fires in the town.
- (26) Food. -- To inspect and to require the condemnation of, if unwholesome, and to regulate the sale of, any food products.
- (27) Franchises. -- To grant and regulate franchises to water companies, electric light companies, gas companies, telegraph and telephone companies, transit companies, taxicab companies, and any others which may be deemed advantageous and beneficial to the town, subject, however, to the limitations and provisions of Article 23 of the Annotated Code of Maryland. No franchise shall be granted for a longer period than fifty years.
- (28) Gambling. -- To restrain and prohibit gambling.
- (29) Garbage. -- To prevent the deposit of any unwholesome substance wither on private or public property, and to compel its removal to designated points; to require slops, garbage, ashes and other waste or other unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal.
- (30) Grants-in-aid. -- To accept gifts and grants of federal or of State funds from the federal or State governments or any agency thereof, and to expend the same for any lawful public purpose agreeably to the conditions under which the gifts or grants were made.
- (31) Hawkers. -- To license, tax, regulate, suppress and prohibit hawkers and itinerant dealers, pawnbrokers and all other persons selling any articles on the streets of the town, and to revoke such licenses for cause.
- (32) Health. -- To protect and preserve the health of the town and its inhabitants; to appoint a public health officer, and to define and regulate his powers and duties; to prevent the introduction of contagious diseases into the town; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate, and abate any buildings, structures, or places which cause or may cause unsanitary conditions or conditions detrimental to health; provided, that nothing herein shall be construed to affect in any manner any of the powers and duties of the State Board of Health, the county board of health, or any public general or local law relating to the subject of health.

- (33) House numbers. -- To regulate the numbering of houses and lots and to compel owners to renumber the same or in default thereof to authorize and require the same to be done by the town at the owner's expense, such expense to constitute a lien upon the property collectible as tax monies.
- (34) Jail. -- To establish and regulate a station house or lock-up for temporary confinement or violators of the laws and ordinances of the town or to use the county jail for such purpose.
- (35) Licenses. -- Subject to any restrictions imposed by the public general laws of the State, to license and regulate all persons beginning or conducting transient or permanent business in the town for the sale of any goods, wares, merchandise, or services; to license and regulate any business, occupation, trade, calling, or place of amusement or business; to establish and collect fees and charges for all licenses and permits issued under the authority of this charter.
- (36) Liens. -- To provide that any valid charges, taxes or assessments made against any real property within the town shall be liens upon such property, to be collected as municipal taxes are collected.
- (37) Lights. -- To provide for the lighting of the town.
- (38) Livestock. -- To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs or other animals; to authorize the impounding, keeping, sale and redemption of such animals when found in violation of the ordinance in such cases provided.
- (39) Markets. -- To obtain by lease or rent, own, construct, purchase, operate, and maintain public markets within the town.
- (40) Minor privileges. -- To regulate or prevent the use of public ways, sidewalks, and public places for signs, awnings, posts, steps, railings, entrances, racks, posting handbills and advertisements, and display of goods, wares, and merchandise.
- (41) Noise. -- To regulate or prohibit unreasonable ringing of bells, crying of goods or sounding of whistles and horns.
- (42) Nuisances. -- To prevent or abate by appropriate ordinance all nuisances in the town which are so defined at common law, by this charter, or by the laws of the State of Maryland, whether the same be herein specifically named or not; to regulate, to prohibit, to control the location of, or to require the removal from the town of all trading in, handling of, or manufacture of any commodity which is or may become offensive, obnoxious, or injurious to the public comfort or health. In this connection the town may regulate, prohibit, control the location of, or require the removal from the town of such things as stockyards, slaughterhouses, cattle or hog pens, tanneries, and renderies. This listing is by way of enumeration, not limitation.
- (43) Obstructions. -- To remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto, or any other places within the limits of the town.
- (44) Parking facilities. -- To license and regulate and to establish, obtain by purchase, by lease or by rent, own, construct, operate, and maintain parking lots and other facilities for off street parking.
- (45) Parking meters. -- To install parking meters on the streets and public places of the town in such places as they shall by ordinance determine, and by ordinance to prescribe rates and provisions for the use thereof, except that the installation of parking meters on any street road maintained by the State Roads Commission of Maryland must first be approved by the Commission.
- (46) Parks and recreation. -- To establish and maintain public parks, gardens, playgrounds, and other recreational facilities and programs to promote the health, welfare, and enjoyment of the inhabitants of the town.
- (47) Police force. -- To establish, operate, and maintain a police force. All town policemen shall, within the municipality, have the powers and authority of constables in this State.
- (48) Police powers. -- To prohibit, suppress, and punish with the town all vice, gambling, and games of chance; prostitution and solicitation therefor and the keeping of bawdy houses and houses of ill fame; all tramps and vagrants; all disorder disturbances, annoyances, disorderly conduct, obscenity public profanity, and drunkenness.
- (49) Property. -- To acquire by conveyance, purchase or gift, real or leasable property for any public purposes; to erect buildings and structures thereon for the benefit of the town and its inhabitants; and to convey any real or leasehold property when no longer needed for the public use. after having given at least twenty days' public notice of the proposed conveyance; to control, protect and maintain public buildings, grounds and property of the town.

- (50) Quarantine. -- To establish quarantine regulations in the interests of the public health.
- (51) Regulations. -- To adopt by ordinance and enforce within the corporate limits police, health, sanitary, fire, building, plumbing, traffic, speed, parking, and other similar regulations not in conflict with the laws of the State of Maryland or with this charter.
- (52) Sidewalks. -- To regulate the use of sidewalks and all structures in, under or above the same to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow or other obstructions; to prescribe hours for cleaning sidewalks.
- (53) Sweepings. -- To regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, garbage, paper, handbills, dirty liquids, or other unwholesome material into any public way or onto any public or private property in the town.
- (54) Taxicabs. -- To license, tax and regulate public hackmen, taxicab men, draymen, drivers, cabmen, porters and expressmen, and all other persons pursuing like occupations.
- (55) Vehicles. -- To regulate and license wagons and other vehicles not subject to the licensing powers of the State of Maryland.
- (56) Voting machines. -- To purchase, lease, borrow, install, and maintain voting machines for use in town elections.
- (57) Zoning. -- To exercise the powers as to planning and zoning, conferred upon municipal corporations generally in Article 66B of the Annotated Code of Maryland, subject however, to the limitations and provisions of said article.
- (58) Saving clause. -- The enumeration of powers in this section is not to be construed as limiting the powers of the town to the several subjects mentioned.



