

(17) *Police Powers.* To prohibit, punish, and suppress vagrancy, vice, gambling and the owning or keeping of houses of ill fame within the limits of the Town. To enforce all ordinances relating to disorderly conduct and the suppression of nuisances equally within the limits of the municipality and beyond those limits for one-half mile, or for so much of this distance as does not conflict with the powers of another municipal corporation.

(18) *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.

(19) *Regulations.* To adopt by ordinance and enforce within the corporate limits, police, traffic, speed, parking and other similar regulations not in conflict with the laws of the State of Maryland or with this Charter.

(20) *Sidewalks.* To construct, maintain and improve sidewalks and 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 and clearing sidewalks.

(21) *Streets.* To construct, maintain and improve the streets and to control the public ways of the Town; to erect and maintain bridges; to provide for the lighting of the Town.

(22) *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.

Section 502. Exercise of Powers.

For the purpose of carrying out the powers granted in this sub-title or elsewhere in this Charter, the Council may pass all necessary ordinances. All the powers of the Town shall be exercised in the manner prescribed by this Charter, or, if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

ARTICLE VI
Registration, Nomination and Elections

Section 601. Voters.

Every person who (a) is a citizen of the United States, (b) is at least eighteen (18) years of age, (c) is a resident within the corporate limits of the Town for thirty (30) days preceding any Town election and is registered in accordance with the provisions of this Charter, is a qualified

voter of the Town. Every qualified voter of the Town is entitled to vote at all Town elections. (Res. No. 2001-3, 8-7-2001.)

Section 602. Registration.

a. Any resident of the Town of Hurlock who is qualified to vote in Town Elections must register to vote with the Dorchester County Elections Board governed by such applicable rules and/or regulations as the Dorchester County Election Board may from time to time adopt or mandated by State Law.

b. The Town Manger shall check each potential voter's name and address with the voter list maintained by the Dorchester County Elections Board. (Res. No. 2017-2, 6-12-2018.)

Section 603. Appeal.

If a prospective voter is aggrieved by any action of the Town Manager, he or she may avail themselves of any appeal process, if any, set forth by applicable rules and/or regulations of the Dorchester County Board of Elections or those mandated by State Law. (Res. No. 2017-2, 6-12-2018.)

Section 604. Nominations.

Persons may be nominated for elective office in the Town by filing a certificate of nomination at the office of the Town Manager on or before the first Monday in October next preceding the Town election. No person shall file for nomination to more than one elective Town public office or hold more than one elective Town public office at any one time. (Res. No. 2000-3, 10-17-2000; Res. No. 2010-3, 11-02-2010; Res. No. 2017-2, 6-12-2018.)

Section 605. Election of the Mayor and Councilmembers.

a. On the first Saturday in November, 1977, an election shall be held for Mayor and two (2) Councilmembers. The Mayor shall be elected for a term of four (4) years, beginning the first Monday in December, 1977. Of the two Councilmembers, the one receiving the highest number of votes shall serve for a term of four (4) years, beginning the first Monday in December, 1977. The remaining Councilmember elected shall serve for a term of two (2) years, beginning on the same date. Beginning on the first Saturday of November, 1979, and continuing on every first Saturday in November in every odd-numbered year thereafter, an election will be held for either two (2) Councilmembers (November, 1979) or a Mayor and one (1) Councilmember (November, 1981). Beginning in 1979, the term of office for both the Mayor and all Councilmembers will be four years. Except when a new Council seat is added the present Council may mandate the lowest elected Council member, by popular vote, serve only a two (2) year term so as to provide for future equally staggered terms of office. This two (2) year term is to be set at the sole discretion of the current Council and is not to be used in and for any other purpose. After the first election of a newly created Council member seat, all ensuing terms for that seat will be four (4) year terms as provided herein.

b. In the case of any precise tie between two Councilmembers, which would prevent one of them from holding office, a run-off election shall be held within the next 30 days.

c. In the event that there is no contest for any of the offices for which an election shall be proper, the Town Manager is authorized and directed to cancel the election with respect to said office or offices and the person or persons running unopposed shall be declared the winner or winners and appointed to the office or offices sought in the regular course of the Town's business and procedures. (Res. No. 2017-2, 6-12-2018.)

Section 606. Conduct of Elections.

a. Elections shall be on a non-partisan basis. The ballots and/or voting machines shall show the name of each candidate nominated for elective office in accordance with the provisions of this Charter, arranged in alphabetical order by office with no party designation of any kind.

b. The Town Manager shall keep the polls open from 8:00 a.m. to 6:00 p.m. on election days, or such other hours as may be designated by the Council. (Res. No. 2017-2, 6-12-2018.)

Section 607. Absentee Ballots.

a. Any qualified voter registered to vote in the Town of Hurlock is entitled to vote in any municipal election by absentee ballot.

b. The Town Manager, or his or her designee, pursuant to requests made in person at the Hurlock Town Office or by written requests made by individuals unable to appear personally at said office and delivered thereto, by qualified voters to vote via absentee ballot, shall deliver absentee ballots to qualified voters not less than fifteen (15) days prior to the elections. (Res. No. 2017-2, 6-12-2018.)

Section 608. Special Elections.

All special Town elections shall be conducted by the Town Manager in the same manner and with the same personnel, as far as practicable, as regular Town elections. (Res. No. 2017-2, 6-12-2018.)

Section 609. Vote Count.

Immediately after the closing of the polls or as soon as reasonably practicable thereafter, the Town Manager shall determine all of the votes cast, including regular absentee ballots, for each candidate or question and shall certify the results of the election and shall record the results in the minutes of the Council. (Res. No. 2017-2, 6-12-2018.)

Section 610. Preservation of Ballots.

All ballots and records used in any Town election shall be preserved for at least six (6) months from the date of the election. (Res. No. 2017-2, 6-12-2018.)

Section 611. Regulation and Control.

The Council shall have the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of registration, nomination, and Town elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud. (Res. No. 2017-2, 6-12-2018.)

Section 612. Penalties.

Any person who (a) fails to perform any duty required of him under the provisions of this subtitle or any ordinances passed thereunder, (b) in any matter willfully or corruptly violates any of the provisions of this subtitle or any ordinances passed thereunder, or (c) willfully or corruptly does anything which will, or will tend to, affect fraudulently any registration, nomination, or election, shall be deemed guilty of a misdemeanor. Any officer or employee of the Town government who is convicted of a misdemeanor under the provisions of this section shall immediately upon conviction thereof cease to hold such office or employment. (Res. No. 2017-2, 6-12-2018.)

**ARTICLE VII
Finance**

Section 701. Fiscal Year.

The Town shall operate on an annual budget. The fiscal year of the Town shall begin on the first day of July and shall end on the last day of June in each year. Such fiscal year shall constitute the tax year, the budget year, and the accounting year.

Section 702. Budget.

The Town Manager shall prepare and submit a budget to the Council, on such date as the Council by resolution shall determine, but at least thirty-two (32) days before the beginning of any fiscal year. The budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year. The total of anticipated revenues shall equal or exceed the total of the proposed expenditures. The budget shall be a public record in the office of the Town Manager, open to public inspection by anyone during normal business hours. (Res. No. 2017-2, 6-12-2018.)

Section 703. Budget Adoption.

Before adopting the budget the Council shall hold a public hearing thereon after notice thereof in some newspaper or newspapers having general circulation within the Town. The Council

may insert new items or may increase or decrease the items of the budget. Where the Council shall increase the total proposed expenditures it shall also increase the total anticipated revenues in an amount at least equal to such total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of at least a majority of the total elected membership of the Council shall be necessary for adoption. (Res. No. 2017-2, 6-12-2018.)

Section 704. Transfer of Funds.

Any transfer of funds between major appropriations for different purposes must be approved by the Council before becoming effective.

Section 705. Over Expenditure Forbidden.

No officer or employee shall during any budget year expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money for any purpose, in excess of the amount appropriated for or transferred to that general classification of expenditure pursuant to this Charter. Any contract, verbal or written, made in violation of this section shall be null and void. Nothing in this section contained, however, shall prevent the making of contracts or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

Section 706. Appropriations Lapse After One Year.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered. Any unexpended and unencumbered funds shall be considered a surplus at the end of the budget year and shall be included among the anticipated revenues for the next succeeding budget year.

Section 707. Checks.

All checks issued in payment of salaries or other municipal obligations shall be signed by the Town Manager and shall be countersigned by the Mayor or his or her authorized agent. (Res. No. 2017-2, 6-12-2018.)

Section 708. Taxable Property.

All real property and/or business personal property within the corporate limits of the Town shall be subject to taxation for municipal purposes. The assessment used for municipal taxation shall be the same as that for State and county taxes. No authority is given by this section to impose taxes on property which is exempt from taxation by any Act of the General Assembly.

Section 709. Budget Authorized Levy.

From the effective date of the budget, the amount stated therein as the amount to be raised by the property tax shall constitute a determination of the amount of the tax levy in the corresponding tax year.

Section 710. Notice of Tax Levy.

Each year after the tax levy is made, a bill or account of the taxes due from him shall be mailed or delivered in person to each taxpayer or his agent at his last known address. This bill or account shall contain a statement of the amount of real estate property and/or business personal property with which the taxpayer is assessed, the rate of taxation, the amount of taxes due, and the date on which the taxes will bear interest. Failure to give or receive notice required by this section shall not relieve any taxpayer of the responsibility to pay on the dates established by this Charter all taxes levied on his property.

Section 711. When Taxes are Overdue.

The taxes provided for in section 710 of this Charter shall be due and payable on the first day of July in the year for which they are levied and shall be overdue and in arrears on the first day of the following October. They shall bear interest while in arrears at the rate prescribed by ordinance for each month or fraction of a month until paid. All taxes not paid and in arrears after the first day of the following January shall be collected as provided in Section 712.

Section 712. Sale of Tax Delinquent Property.

A list of all property on which the Town taxes have not been paid and which are in arrears as provided by Section 711 of this Charter shall be turned over by the Town Manager to the official of the County responsible for the sale of tax delinquent property as provided in State law. All property listed thereon shall if necessary be sold for taxes by the county official, in the manner prescribed by State law. (Res. No. 2017-2, 6-12-2018.)

Section 713. Audit

The financial books and accounts of the Town shall be audited annually in a manner determined by the Council but not contrary to applicable State law.

Section 714. Tax Anticipation Borrowing.

During the first six (6) months of any fiscal year, the Town shall have the power to borrow in anticipation of the collection of the property tax levied for that fiscal year, and to issue tax anticipation notes or other evidences of indebtedness as evidence of such borrowing. Such tax anticipation notes or other evidences of indebtedness shall be a first lien upon the proceeds of such tax and shall mature and be paid no later than six (6) months after the beginning of the fiscal year in which they are issued. No tax anticipation notes or other evidences of indebtedness shall be issued which cause the total tax anticipation indebtedness of the Town to exceed fifty percent

(50%) of the property tax levy for the fiscal year in which such notes or other evidence of indebtedness are issued. All tax anticipation notes or other evidences of indebtedness shall be authorized by ordinance before being issued. The Council shall have the power to regulate all matters concerning the issuance and sale of tax anticipation notes.

Section 715. Authorization to Borrow Money.

The Town shall have the power to borrow money for any proper public purpose and to evidence such borrowing by the issue and sale of its general obligation bonds, notes, or other certificates of indebtedness in the manner prescribed in Section 31 to 37 inclusive, of Article 23A of the Annotated Code of Maryland (1957 edition, as amended), title "Municipal Corporations," subtitle "Creation of Municipal Public Debt." (Md. Code Ann., Local Gov't § 19-301 et seq. is the correct citation now).

Section 716. Payment of Indebtedness.

The power and obligation of the Town to pay any and all bonds, notes, or other evidences of indebtedness issued by it shall be unlimited and the Town shall levy ad valorem taxes upon all the taxable property of the Town for the payment of such bonds, notes, or other evidences of indebtedness and interest thereon. The faith and credit of the Town is hereby pledged for the payment of the principal of and the interest on all bonds, notes, or other evidences of indebtedness, hereafter issued under the authority of this Charter, whether or not such pledge be stated in the ~~bonds~~ [bonds], notes or other evidences of indebtedness, or in the ordinance authorizing their issuance.

Section 717. Previous Issues.

All bonds, notes, or other evidences of indebtedness validly issued by the Town previous to the effective date of this Charter and all ordinances passed concerning them are hereby declared to be valid, legal, and binding and of full force and effect as if herein fully set forth.

Section 718. Purchasing and Contracts.

a. *Purchasing.* Purchases for the Town government shall be made by the Town Manager under the direction of the Council. The Council shall have the power to provide by ordinance for rules and regulations regarding purchasing procedures such as the use of competitive bids.

b. *Contracts.* All contracts involving professional services such as accounting, architecture, auditing, engineering, law, planning, and surveying shall be negotiated by the Council. (Res. No. 2017-2, 6-12-2018.)

ARTICLE VIII
Administration

Section 801. Town Manager.

- a. *Creation of Office.* The office of Town Manager is hereby created.
- b. *Appointment and Qualifications of Town Manager.* The Town Manager shall be appointed by a majority vote of the Town Council upon the recommendation of a search committee for a term or at will and under conditions as may be agreed to by the Town Council.

(1) The Town Manager shall be selected solely on the basis of executive and administrative qualifications with special reference to actual experience in and knowledge of accepted practices in respect to the duties of the office hereinafter set forth.

(2) Candidates for the position shall have a minimum of three (3) years of experience as a municipal and/or county manager or as an assistant municipal and/or county manager.

(3) If an acceptable candidate is not found meeting the requirements in (b)(2) above, the Town Council may consider candidates who also have a minimum of three (3) years of experience as a department head of a significant governmental line or staff function or in a management position in a significant business or corporate entity.

(4) At the time of any appointment as a Town Manager, the appointee need not be a resident of the Town or state. Within one (1) year from his or her appointment, the Town Manager shall reside within the Town limits as his or her principal residence. The residence requirement for a Town Manager may be delayed or waived by Town Council based on extenuating circumstances as may be presented to and approved by a majority vote of the Town Council, or as set forth in a binding employment agreement. An acting Town Manager appointed under this law shall not be required to live in the Town of Hurlock as a condition of the appointment.

(5) No Mayor or Councilmember shall receive such appointment as Town Manager or acting Town Manager during the term for which the Mayor or Councilmember shall have been elected unless the Mayor or Councilmember has prior thereto or concurrently with his or her appointment as Town Manager or acting Town Manager resigned as the Mayor or Councilmember of the Town.

(6) The search for a Town Manager shall be conducted by a search committee made up of five (5) individuals appointed by the Town Council, who shall be appointed within thirty (30) days of the Town Manager position

becoming vacant. The Mayor shall chair and be a voting member of the search committee. The search committee may obtain additional assistance and resources in the search process upon a majority vote of the Town Council. The individuals appointed by the Town Council as members of the search committee shall be residents of the State of Maryland, or be owners of businesses located in the State of Maryland, or be persons who live elsewhere but have a second home in the State of Maryland who possess considerable expertise related to the search process.

c. *Removal from Office.*

(1) The Town Manager shall hold office subject to the vote to remove him or her by four (4) of the six (6) elected officials of the Town – the Mayor and the Town Council as a body – which vote shall be made at an official meeting of the Mayor and Town Council duly called. The final resolution of removal may be made effective immediately, or at any time after five (5) days from the date on which a copy of the preliminary resolution required in subsection (c)(2) below is delivered to the Town Manager.

(2) To institute the removal process, the Town Council must adopt by the affirmative vote of a majority of its members, a preliminary resolution that sets forth in detail the reasons for removal. A copy of the resolution shall be delivered promptly to the Town Manager and the Mayor.

(3) Neither the Town Manager nor the Mayor and the Town Council shall be permitted to file legal action regarding the Town Manager's removal from office without first meeting in mediation and making a good faith attempt to reach a mediated resolution. The costs of the mediation and the mediator, if any, shall be paid 50% by the Town Manager and 50% by the Mayor and the Town Council. If a mediated settlement is reached neither party shall be deemed the prevailing party for purposes of the settlement and each party shall bear its own legal costs.

(4) (Reserved)

(5) If the Town Manager becomes disabled, is temporarily absent from the Town for a length of time that may interfere with the efficient running of the Town, is suspended, removed, or resigns, or completes his or her term as may be agreed to in his or her contract of employment, if any, and is not reappointed, the Town Council may appoint an acting Town Manager. Any acting Town Manager shall hold office for a period of time not to exceed six (6) months, subject to the affirmative vote by a majority of the Mayor and the Town Council, with the Mayor having a vote, to remove the acting Town Manager or to extend his or her term. No notice of removal as allowed for a Town Manager under subsections (c)(1) and (2) above is required for removing an acting Town Manager. If an acting Town Manager is removed, the Town Council may appoint his or her

replacement. An acting Town Manager shall possess the qualifications as set forth in subsections (b)(1), and (b)(2) or (b)(3) above.

d. *Powers and Duties of the Town Manager.* The Town Manager shall be the chief executive officer of the Town and the head of the administrative branch of the Town, and may head one or more departments, and shall be responsible to the Mayor and the Town Council as a body, for the proper administration of all affairs of the Town. He or she shall serve as the chief personnel officer for the Town, which shall include all matters regarding human resources. Subject to sufficient appropriations, the Town Manager may appoint an assistant director of human resources to assist him or her in these responsibilities and may appoint a Finance Director. To these ends the Town Manager shall have the power and shall be required to:

(1) With the exception of the Town Attorney, who shall be appointed, suspended, and/or removed directly by the Mayor, with the advice and consent of the Council, appoint, suspend or remove any department head with the advice and consent of the Town Council. The Town Manager may hire, suspend or remove any employee, or may authorize any department head to exercise these powers with respect to subordinates within that department head's department, with the prior approval of the Town Manager.

(2) With the exception of the Town Attorney, direct and supervise the administration of all departments, offices and agencies of the Town, except as otherwise provided by this Charter or by law; create, consolidate, separate, or combine offices, positions, departments, or units under his or her jurisdiction, with the approval of the Town Council. Notwithstanding the exclusion of the Town Attorney from supervision and oversight by the Town Manager, the Town Attorney shall closely coordinate his or her activities with the Town Manager, respond to reasonable requests of the Town Manager, and keep the Town Manager apprised of and discuss with him or her Town priorities, status of assignments, litigation, special needs, and issues of importance to the Town that fall under the duties and responsibilities of the Town Attorney.

(3) Be the chief financial officer of the Town and:

(i) Ensure that all public moneys belonging to or under the control of the Town, except as otherwise provided herein, are properly accounted for;

(ii) Certify all financial reports developed for the Mayor and the Town Council as a body and have custody of all bonds and notes of the Town;

(iii) Review all reports of a Finance Director regarding the collection of taxes, special assessments, license fees, liens, and all other revenues (excluding utility revenues) of the Town, and all other revenues for whose collection the Town is responsible;

(iv) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to assure that budget appropriations are not exceeded;

(v) With the assistance of a Finance Director, if any, prepare the Town budget and capital program annually and submit them to the Mayor and the Town Council as a body with a message describing the important features and be responsible after adoption for the administration and implementation of the final budget and any capital program approved by Town Council to achieve the goals of the Town;

(vi) On a regular and ongoing basis, keep the Mayor and the Town Council as a body advised of the financial condition and future needs of the Town, and make such recommendations as may be deemed desirable, and

(vii) Recommend to the Mayor and Town Council as a body from time to time, a standard schedule of pay for each appointed office and position in the Town service, including minimum, intermediate, and maximum rates.

(4) Recommend to the Mayor and the Town Council as a body from time to time, the adoption of such measures as may be deemed necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.

(5) Attend all meetings of the Town Council unless excused, and take part in the discussion of all matters coming before the Town Council. The Town Manager shall be entitled to notice of all regular and special meetings of the Town Council.

(6) Supervise the Town procurement process including the purchase of all materials, supplies, and equipment for which funds are provided in the budget; sign contracts necessary for operation or maintenance of the Town services; and report said actions on an ongoing basis to the Mayor and the Town Council as a body pursuant to subsection (d)(3)(vi) above. Nothing herein is to be construed as limiting the Town Council from establishing by resolution reasonable and customary upper limits beyond which the Town Manager must obtain approval for said purchases and contracts.

(7) See that all laws, provisions of this Charter and acts and ordinances of the Town Council, subject to enforcement by the Town Manager or by officers subject to the Manager's direction and supervision, including contract employees, are faithfully executed and duly enforced.

(8) Investigate the affairs of the Town or of any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the Town and in regard to service maintained

by the public utilities in the Town, and see that all franchises, permits, and privileges granted by the Town are faithfully observed.

(9) Devote his or her entire time to the discharge of all official duties.

(10) In collaboration with any finance director, if any, submit to the Mayor and the Town Council as a body and make available to the public a complete report on the finances and administrative activities of the Town as of the end of each fiscal year. Included in the report shall be the accomplishments of the various agencies and the Town.

(11) Make such other reports as the Mayor and the Town Council as a body may require concerning operations.

(12) Make recommendations to the Mayor and the Town Council as a body concerning the affairs of the Town and facilitate the work of the Mayor and the Town Council as a body in developing policy.

(13) Provide staff support services for the Mayor and the Town Council as a body.

(14) Assist the Mayor and the Town Council as a body in the development of long term goals for the Town and strategies to implement those goals.

(15) Encourage and provide staff support for regional and intergovernmental cooperation.

(16) Promote partnerships among the Mayor, the Town Council, the staff, and citizens in developing public policy and building a sense of community.

(17) Assure that a record of all the proceedings of the Town Council is kept in the minute book as they occur. He or she shall within six (6) days after the effective date of an ordinance record the same fully and at length in an ordinance book, and shall duly and promptly record and enter the general record books all papers, documents, contracts and orders which the Charter or the ordinances or the directions of the Town Council require to be recorded therein. The Town Manager may appoint one or more staff persons as the Town and/or Deputy Clerk under his or her direction and authority to perform these duties, with the advice and consent of the Town Council.

(18) Be the public information official for the Town, except for matters involving the Hurlock Police Department. With regard to any matters involving the police department, the Chief of Police shall designate the spokesperson for the department. The police department shall cooperate and coordinate with the Town Manager regarding information being provided to the public by the department.

(19) Hold regular meetings with the department heads.

(20) Serve as the supervisor of elections for the Town.

(21) Perform such other duties as are specified in this Charter and as may be required by the Mayor and the Town Council as a body, not inconsistent with the Town Charter, law, or ordinances.

e. *Non-interference with appointments or removals.* Except for the purpose of inquiry, the Mayor and the Town Council shall deal with the administration of the Town solely through the Town Manager and neither the Mayor, nor any Town councilmember, shall give orders to any subordinates of the Town Manager; either publicly or privately.

f. *Emergencies.* In the event an emergency as declared by the Mayor, the Town Manager may award contracts and make purchases for the purpose of meeting said emergency, subject to appropriations not to exceed an amount established by a resolution of the Town Council. In so doing, the Town Manager shall meet during the period of the emergency on a regular and ongoing basis as needed with the Mayor and Town Council and collaborate with them in addressing the challenges that present themselves during the emergency. The Town Manager shall also file promptly after the emergency ends with the Mayor and Town Council as a body, a certificate showing an itemized account of all expenditures during the emergency.

g. *Bond.* The Town Manager may, if required by the Town Council, furnish a surety bond to be approved by the Town Council, said bond, if required by the Town Council, to be conditioned on the faithful performance of all of the duties of the Town Manager. The premium on any such bond shall be paid by the Town.

h. *Compensation.* The Town Manager shall receive such compensation as specified by the Town Council. The Town Manager's compensation may be specified pursuant to the terms of any contract of employment entered into between the Town and the Town Manager. The Town Manager's compensation shall not be reduced unless such a contingency is included in any such contract of employment and all Town employees' compensation is reduced. If no contract of employment has been entered into between the Town Manager and the Town, the Town Manager's compensation shall not be reduced during the Town Manager's continued employment with the Town as the Town Manager.

i. *Personnel Duties.*

(1) All subordinate officers and employees of the offices, departments, and agencies of the Town shall be appointed by the Town Manager. All subordinate officers and employees may be removed and/or discharged by the Town Manager, or by the applicable department head with the prior approval of the Town Manager.

(2) Pending any changes pursuant to paragraph (3) below, the Town employee manual and personnel policies, if any, in effect on the date of enactment of this Charter Amendment shall remain in full force and effect.

(3) Upon the hiring of a Town Manager and periodically thereafter as may be needed, one of his or her duties shall be to create and/or review any personnel policies for the Town of Hurlock, which shall include convening a Hurlock personnel review committee, if desired, to assist in determining if the creation of and/or any changes in the Town's personnel policies need to be made, and, if so, to make recommended changes for the Town Council to consider.

j. (Reserved)

Section 802. Town Attorney.

The Mayor, with the approval of the Council, may appoint a Town attorney. He shall serve at the pleasure of the Council and his compensation shall be determined by the Council. The Town Attorney shall be a member of the bar of Maryland Court of Appeals. He shall be the legal advisor of the Town and shall perform such duties in this connection as may be required by the Council. The Town shall have the power to employ other legal consultants as it deems necessary from time to time.

Section 803. Authority to Employ Personnel.

The Council shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State Law and to operate the Town government.

Section 804. Compensation for Employees.

The compensation of all officers and employees of the Town shall be set from time to time by the Council, subject to the restriction imposed upon establishing the salaries of the Mayor and Council.

Section 805. Employee Benefit Programs.

The Town by ordinance may provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees and may expend public moneys of the Town for such programs.

Section 806. Prohibition.

No employee in the service of the Town shall continue in such position after becoming a candidate for nomination or election to any public office in the Town.

ARTICLE IX
Public Ways and Sidewalks

Section 901. Definition of Public Ways.

The term “public ways” as used in this Charter includes all streets, avenues, roads, highways, public thoroughfares, lanes, and alleys.

Section 902. Control of Public Ways.

The Town has control of all public ways in the Town except such as may be under the jurisdiction of the Maryland State Highway Administration. Subject to the laws of the State of Maryland and this Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town.

ARTICLE X
Special Assessments

Section 1001. Power: Special Assessments.

The Town shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon such property by the installation or construction of municipal improvements and to provide for the payment of all or any part of the above projects out of the proceeds of such special assessment. The cost of any project to be paid in whole or in part by special assessment may include the direct costs thereof, the cost of any land acquired for the project, the interest on bonds, notes, or other evidences of indebtedness issued in anticipation of the collection of special assessments, a reasonable charge for the services of the administrative staff of the Town, and any other item of cost which may reasonably be attributed to the project.

Section 1002. Procedures.

The procedures for special assessments, wherever authorized in this Charter, shall be as follows:

- a. The cost of the project being charged for shall be assessed according to the front foot rule of apportionment or some other equitable basis determined by the Council.
- b. The amount assessed against any property for any project or improvement shall not exceed the value of the benefits accruing to the property.
- c. When desirable, the affected property may be divided into different classes to be charged different rates, but except for this, any rate shall be uniform.

d. All special assessment charges shall be levied by the Council by ordinance. Before levying any special assessment charges, the Council shall hold a public hearing. The Town Manager shall cause notice to be given stating the nature and extent of the proposed project, the kind of materials to be used, the estimated cost of the project, the portion of the cost to be assessed, the number of installments in which the assessment may be paid, the method to be used in apportioning the cost, and the limits of the proposed assessment. The notice shall also state the time and place at which all persons interested, or their agents or attorneys, may appear before the Council and be heard concerning the proposed project and special assessment. Such notice shall be given by sending a copy thereof by mail to the owner of record of each parcel of property proposed to be assessed and to the person in whose name the property is assessed for taxation and by publication of a copy of the notice at least once in a newspaper of general circulation in the Town. The Town Manager shall present at the hearing a certificate of publication and mailing of copies of the notice, which certificate shall be deemed proof of notice, but failure of any owner to receive the mailed copy shall not invalidate the proceedings. The date of hearing shall be set at least ten (10) but not more than thirty (30) days after the Town Manager shall have completed publication and service of the notice as provided in this section. Following the hearing the Council in its discretion, may vote to proceed with the project and may levy the special assessment.

e. Any interested person feeling aggrieved by the levying of any special assessment under the provisions of this section shall have the right to appeal to the Circuit Court of the County within twenty-one (21) days after levying of any assessment of the Council.

f. Special assessments may be made payable in annual or more frequent installments over such period of time, not to exceed 40 years, and in such manner as the Council may determine. The Council shall determine on what date installments shall be due and payable. Interest may be charged on installments at the rate to be determined by the Council.

g. All special assessment installations shall be overdue six (6) months after the date on which they became due and payable. All special assessments shall be liens on the property and all overdue special assessments shall be collected in the same manner as Town taxes or by suit at law.

h. All special assessments shall be billed and collected by the Town Manager.

ARTICLE XI Town Property

Section 1101. Acquisition, Possession, and Disposal.

The Town may acquire real, personal, or mixed property within the corporate limits of the Town for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise