

Allegany County, MD  
Monday, March 12, 2012

### Article III. Ellerslie

[Adopted as Ch. 73, Art. IV, of the 1984 Code] *Editor's Note: Former Article III, Cresaptown Fire-Ambulance [1972, ch. 222, sec. 116A through 116G (approved at referendum 8-29-1972)], was repealed by ch. 694 of the Acts of 1990. For current provisions see Ch. 146, Arts. VI and VIII.*

#### § 166-10. Boundaries established.

[1963, ch. 587, *Editor's Note: Chapter 587 of 1963 was approved by the voters at a referendum June 11, 1963.* sec. 145A]

A. For the purpose of this article, the community of Ellerslie in Allegany County, as hereinafter described, constitutes a special taxing area or district and shall be deemed and taken to comprise that certain parcel of land as follows: Beginning at the high-water mark on the easterly side of Wills Creek at the dividing line of the State of Pennsylvania and the State of Maryland, known as the "Mason and Dixon Line," and running thence north 84° 30' west 4,810 feet, more or less; thence south 6° 15' west 2,830 feet, more or less; thence north 89° east 330 feet, more or less; thence south 6° 20' west 1,130 feet, more or less; thence south 69° 30' east 1,280 feet, more or less; thence north 39° 30' east 490 feet, more or less; thence south 88° 20' east 1,180 feet, more or less; thence south 78° 45 east 200 feet, more or less, to a point at the high-water mark on the easterly side of Wills Creek; thence northeast along the easterly side of Wills Creek for a distance of 4,200 feet, more or less, to the point of beginning.

B. This area is hereafter in this article referred to as "Ellerslie."

#### § 166-11. Annual tax levy; disposition of funds; employment of other personnel.

[1963, ch. 587, sec. 145B; 1965, ch. 56, sec. 156(a); 1973, ch. 474, secs. 156(c) and (d)]

A. The Board of County Commissioners of Allegany County shall levy and cause to be collected from the property owners at the time of the County tax levy for the year 1963 or any succeeding year within this described area of Ellerslie as created in this article, such amounts not exceeding \$0.06 on each \$100 worth of assessable real property other than operating real property of a public utility and not exceeding \$0.15 on each \$100 worth of assessable personal property and operating real property of a public utility in Ellerslie as may be requested by the Citizens' Committee hereinafter provided for. The request shall be approved by a majority of all the members comprising the Committee. Such taxes shall be collected as all county taxes are collected and shall be paid over by the Board of County Commissioners to the Treasurer of the Citizens' Committee of Ellerslie, to be selected from among their number by a majority of the members of the Citizens' Committee or by their successors to be selected as herein provided. The Treasurer selected by the Committee shall give bond to the Board of County Commissioners, to be approved by a Judge of the Circuit Court of Allegany County, in a penal sum to be fixed by the Judge, conditioned upon the faithful discharge of the duties of the Treasurer.

[2003, ch. 247]

B. Use. The taxes collected under the provisions of this article shall be used by said Citizens' Committee for electric lights along the streets, alleys and public ways of Ellerslie.

## C. Surplus funds.

- (1) Any moneys, from whatever source derived, held by the Citizens' Committee after making provisions for lights may be expended for the following:
  - (a) The construction and maintenance of community playgrounds and other recreational and play areas.
  - (b) The provision for other community projects and services as needed or desired by the citizens of the Ellerslie Tax Area.
- (2) The expenditure of any surplus funds held by the Citizens' Committee for the special tax area shall be made only after due consideration by the Committee and upon a majority vote of the Committee.

D. Audit; books open to inspection. The Citizens' Committee may employ an accountant to audit its books and accounts and may also employ whatever legal counsel it deems necessary. The Citizens' Committee shall always keep available and open to public inspection by residents of the Ellerslie Tax Area its books and accounts.

**§ 166-12. Citizens' Committee.**

[1963, ch. 587, sec. 145C]

- A. Members; oath. *Editor's Note: For a current listing of members of the Committee, consult County records in the office of the County Clerk.* Each member shall qualify as such Committeeman by taking an oath before any officer in Allegany County authorized by law to administer oaths diligently and faithfully to discharge all duties of the office. In case any such persons shall fail to qualify within 30 days after June 11, 1963, or if any of their successors shall fail to qualify within 30 days after his election as Committeeman, as hereinafter provided, or in case of any vacancy through death, resignation or otherwise, the remaining Committeemen shall fill the vacancy by the appointment of a resident of Ellerslie, of legal age and owner of real property in said Ellerslie, who shall hold office for the term or unexpired term. *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).*
- B. Election; terms; officers. On the first Monday in March 1964, two members of the Citizens' Committee shall be elected to serve for one year, and three members shall be elected to serve for two years. On the first Monday in March 1965 and on the first Monday in March of each succeeding year, an election shall be held at which Committeemen shall be elected for two years to succeed those whose terms are expiring and at which Committeemen shall be elected to fill any vacancies which may exist, but the Committeemen so elected to fill vacancies shall serve for the remainder of the unexpired term only. The election shall be by ballot in a manner to be prescribed by the Committee. Only residents of legal age of said Ellerslie who have resided therein for not less than six months next preceding said election and who are the owners of real property in Ellerslie are entitled to vote for or hold the office of Committeeman in Ellerslie. Following each election, each newly elected member of the Committee shall qualify by taking the oath prescribed. The Committee shall select from its members a Chairman, Secretary, Treasurer and any other officers it may deem necessary.

**§ 166-13. Disposition of funds; powers of Committee.**

[1963, ch. 587, sec. 145D]

- A. Use of funds. The Citizens' Committee provided for in § 166-12 has the power and authority to provide, by contract or otherwise, for electric lights in Ellerslie and to pay for the same out of the taxes levied by the County Commissioners of Allegany County and paid over to the Treasurer of the Citizens' Committee. The Treasurer shall pay out the funds in his possession only upon the order of the Citizens' Committee and for the purposes authorized by this article.

- B. Deposit of funds; authorized signatures. The Treasurer of the Citizens' Committee shall deposit all funds coming into his possession as Treasurer in such bank as may be approved by the Committee, and they shall not be paid out except by check duly signed by him as Treasurer and countersigned by the Chairman or by some member of the Committee acting as Chairman and so authorized to act by resolution of the Committee, which must first be spread upon the minutes of said Committee.