

# **Bond Case Briefs**

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## **ANNEXATION - MARYLAND**

### **Town of La Plata v. Faison-Rosewick LLC**

**Court of Appeals of Maryland - September 25, 2013 - A.3d - 2013 WL 5354355**

Opponents of referendum regarding property annexation by town brought action against town seeking to enjoin referendum. The ultimate issue presented was what may be placed on a petition for referendum pertaining to land annexation under Maryland Code. Additionally, the parties presented questions regarding a Town Manager's authority to create procedures for the validation and verification of signatures on a referendum petition, whether the administrator in this particular case observed his own procedures, and to what extent, if any, the Election Law Article of the Maryland Code and Maryland common law should apply to municipal land annexation referenda.

The Court of Appeals held that:

- Referendum opponents could bring a common law mandamus action challenging town manager's decision to approve petition for referendum;
- Inclusion of additional resolutions to petition for referendum pertaining to land annexation, which resolutions were nonreferrable, did not invalidate the petition;
- Town manager had the implied authority to create and publish guidelines for verification of signatures on petition for referendum; and
- Town manager's publication of guidelines did not violate the general public's due process rights.