

Bond Case Briefs

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MUNICIPAL CORPORATIONS - MARYLAND

Mayor and City Council of Havre De Grace v. K. Hovnanian Homes of Maryland, LLC

Court of Special Appeals of Maryland - May 1, 2020 - A.3d - 2020 WL 2096150

Construction company that had performed infrastructure improvements involving water, sewer lines, and roads to one of three adjacent parcels, and who had allegedly entered into agreement with city to recoup costs for doing so from owners of other two parcels, file suit against city to compel execution and recordation of the agreement.

The Circuit Court granted construction company summary judgment. City appealed.

The Court of Special Appeals held that city council had no independent authority to enter into contract on behalf of the municipal corporation.

Under charter, city's power to enter into contracts was an executive, rather than legislative, power, thus contract between construction company and city council for recoupment of company's costs for infrastructure improvements to parcel involving water, sewer lines, and road was not authorized absent approval from mayor; city council had no independent authority to enter into such a contract on behalf of the municipal corporation.