

ORDINANCE NO. 08-04

WHEREAS, The Board of Commissioners of Carroll County, Maryland, is authorized to enact a Gateway Renovation Tax Credit as provided for under Section 9-308(d) of the Tax-Property Article of the Annotated Code of Maryland;

WHEREAS, pursuant to State law, the Board of Commissioners of Carroll County, Maryland, has the authority to establish specific local eligibility requirements for the Tax Credit, which expand eligibility for the Credit to a greater number of citizens of Carroll County;

WHEREAS, the Board of Commissioners of Carroll County, Maryland, has enacted and codified the "Code of Public Local Laws and Ordinances of Carroll County, Maryland"; and

WHEREAS, the Board of County Commissioners of Carroll County, Maryland, has determined that amendments to certain sections of the Code are necessary to advance the public health, safety, and welfare.

NOW, THEREFORE, The Board of County Commissioners of Carroll County, Maryland, does hereby amend Chapter 209 of the Code to add Article XII as follows:

ARTICLE I.

Chapter 209 of the Code of Public Local Laws and Ordinances is hereby amended by the addition of Article XII as follows:

ARTICLE XII – Gateway Renovation Tax Credit.

§ 209-37. Definitions.

GATEWAY – Maryland Route 140 Corridor through Finksburg from the Baltimore County line to the east side of the intersection of Sandymount Road and Maryland Route 140 including those properties that have direct road frontage onto Maryland Route 140 and those properties that are

directly adjacent and contiguous to the properties with direct road frontage onto Maryland Route 140.

IMPROVEMENTS – Renovation, upgrade, or rehabilitation of exterior façade, including but not limited to windows, veneers, painting, new roof or landscaping or other physical exterior site improvements that significantly improve the visual appearance of the site such as new signage, lighting, sidewalks or pedestrian plazas. Also, development of commercial or industrial uses on a parcel in the Gateway zoned Business-General, Business – Neighborhood Retail, Industrial – Restricted, or Industrial- General.

§ 209-38. Eligibility and Amount of Credit.

(a) A property tax credit granted under this Article may only be granted to a property that is principally used for business, commercial or industrial purposes.

(b) A property tax credit granted under this Article may only be granted for taxes levied on real property in the Gateway.

(c) A property tax credit may only be granted for improvements made to a property that significantly improve the overall appearance or use of the property.

(d) For improvements made to existing structures, the amount of property tax credit available shall be based on the percentage of improvement cost compared to the current assessed value of the property. A 75% tax credit for a period up to 5 years shall be available if the improvement costs spent on the property are in excess of 25% of the assessed value of the property. If the improvement costs spent are 25% or less of the assessed value of the property, the credit available is 50% for a period of up to 5 years. A time frame of 3 years from the first improvement cost shall be allowed in order to accumulate total investment for purposes of this calculation. Credit will extend 5 years from last investment.

(e) For new developments made on a parcel, the amount of property tax credit available shall be based on the percentage of improvement costs (related to façade and frontage appearance) compared to the current assessed value of the property. A 50% tax credit for a period up to 5 years shall be available if the improvement costs spent on the property are in excess of 50% of the newly assessed value of the property.

(f) The tax credit shall be calculated and credited based on the total real property tax levied by the County.

(g) The total value of the available tax credit shall not exceed the total improvement costs.

§ 209-39. Administration.

This Article shall be administered by the Department of Economic Development, Department of Management and Budget, and the Department of the Comptroller. Further, the Departments are hereby authorized to promulgate any necessary rules and regulations that may be required to administer this Tax Credit.

§ 209-40. Applications.

All applications for the Tax Credit administered under this Article shall be submitted in a form approved by the Department of the Comptroller and signed by the property owner under oath and under penalty of perjury. Applications must be submitted prior to the start of improvements being made and no application shall be granted or tax credits available until improvements are complete. All applications shall include tax map and parcel to show eligibility within a Gateway; recent photograph(s) of the property; a detailed description of the improvement including sketches, digital or conceptual drawings; and a detailed summary of the capital investment for the improvements. All applications for a tax credit under this Article must be submitted on or before May 1 immediately before the first taxable year for which the tax credit is sought. If an

application is filed after May 1, the credit shall be disallowed for that year but shall be treated as an application for a tax credit for the next succeeding taxable year.

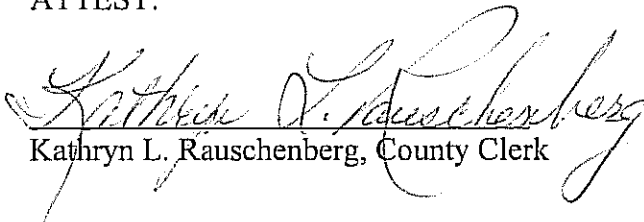
A person who knowingly submits a false or fraudulent application, or withholds information, to obtain a tax credit under this Article must repay the County for all amounts credited and all accrued interest and penalties that would apply to those amounts as overdue taxes and, in addition, is subject to all fines and other penalties as may be provided by law. Carroll County may enforce this section by appropriate legal action. A person who violates this section is liable for all court costs and expenses of the County in any civil action brought by Carroll County against the violator.

ARTICLE II. EFFECTIVE DATE.

This Ordinance shall become effective on _____, 2008, and be applicable for all tax years beginning after the same effective date.

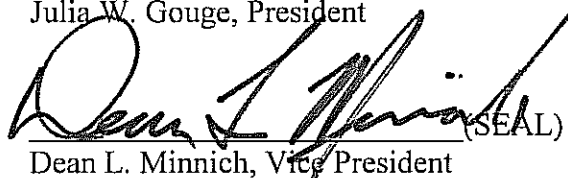
ADOPTED this 13th day of May, 2008.

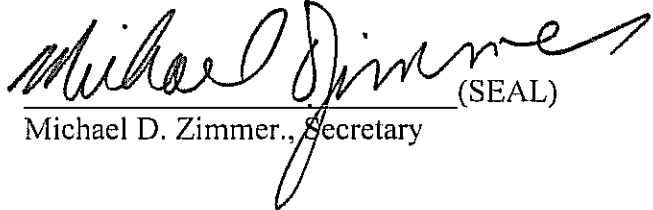
ATTEST:


Kathryn L. Rauschenberg, County Clerk

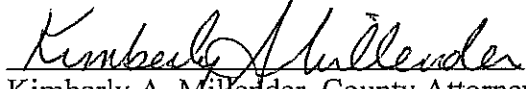
THE COUNTY COMMISSIONERS OF
CARROLL COUNTY, MARYLAND,
a body corporate and politic
of the State of Maryland

Julia W. Gouge, President (SEAL)


Dean L. Minnich, Vice President (SEAL)


Michael D. Zimmer., Secretary (SEAL)

Approved for legal sufficiency:


Kimberly A. Millender, County Attorney

Notice of Public Hearing published: 04/02/08, 04/06/08, and 04/09/08
Public Hearing held: 04/17/08
Public Meeting to adopt Ordinance: 05/13/08
Notice of Adoption of Ordinance published: 05/17/08
Ordinance filed with Clerk of Court: 05/19/08

I hereby certify that the actions described above took place on the dates referred to above and that this Ordinance is effective as of the _____ of _____, 2008.

Kimberly A. Millender, County Attorney