

ORDINANCE

FOR THE PURPOSE OF EXTENDING THE SPECIAL TAXING DISTRICT WITHIN THE CHESAPEAKE RANCH ESTATES SUBDIVISION

WHEREAS, pursuant to authority granted in Title 4 of the Code of Public Local Laws of Maryland, Article 5, (Calvert County), the County Commissioners of Calvert County, Maryland are empowered to establish special taxing districts in Calvert County to furnish and provide special privileges or benefits to persons in those districts;

WHEREAS, the Property Owners' Association of Chesapeake Ranch Estates, Inc. (hereinafter, "POACRE") has previously sought and obtained approval to create a Special Tax District for the residents of the Chesapeake Ranch Estates subdivision, most recently by Ordinance 09-19, which expires on June 30, 2023;

WHEREAS, the County Commissioners of Calvert County, Maryland have been presented evidence that the current Special Tax District for the residents of Chesapeake Ranch Estates has an unexpended balance;

WHEREAS, POACRE has petitioned to carry forward the unexpended balance and for the renewal and extension of that Special Tax District for an additional four (4) years with an annual levy against each property of Chesapeake Ranch Estates in the amount of Two Hundred Seventy-Five Dollars (\$275.00) per annum, per lot;

WHEREAS, a public hearing was duly advertised and held on June 13, 2023 to consider the Petition of POACRE to create a new Special Tax District;

WHEREAS, following the public hearing and upon consideration of all the testimony received at the hearing, the County Commissioners of Calvert County, Maryland closed the record and determined that it is **NOT** in the best interest of the residents of Chesapeake Ranch Estates to approve the continuation of the Special Tax District for four (4) years beginning July 1, 2023 and expiring June 30, 2027, with an annual levy of Two Hundred Seventy-Five Dollars (\$275.00) per annum, per lot;

WHEREAS, at the next meeting of the Board of County Commissioners on June 27, 2023, the Board voted to reconsider its prior decision with respect to the extension of the Special Tax District for the residents of Chesapeake Ranch Estates; and

WHEREAS, the County Commissioners of Calvert County, Maryland finds that disaster assistance and pre-hazard mitigation available to special tax districts is important for communities with private roads and infrastructure to the scale the Chesapeake Ranch Estates has them.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calvert County, Maryland, that Sections 136-45 and 136-46 of Chapter 136 of the Code of Public Local Laws of Maryland, Article 5, (Calvert County), be and the same hereby is repealed and re-enacted with amendments to read as follows:

ARTICLE VI

Chesapeake Ranch Estates Special Taxing District

§ 136-45. Term and Assessment.

- A. The Special Taxing District shall be extended to remain in existence for one (1) year beginning with the 2024 fiscal year that commences on July 1, 2023 and ending on June 30, 2024.
- B. An assessment in the amount of Ten Dollars (\$10.00) is levied against each recorded lot within the taxing district. The annual assessment shall be for the fiscal year that commences on July 1, 2023.
 1. A recorded lot shall be any numbered lot shown on any recorded subdivision plat of the Chesapeake Ranch Estates Subdivision or any lot created by the combination of any originally recorded lots, provided that such combination has been duly recorded among the Land Records of Calvert County.
 2. Any recorded lot that receives a tax credit under Article V of this Chapter 136 and any lot titled in the name of the Property Owners' Association of Chesapeake Ranch Estates, Inc. shall be exempt from the levy of the special tax.
- C. The special tax assessment levied within the Chesapeake Ranch Estates by this Article shall be collected from the funds of the District remaining on June 30, 2023.

§ 136-46. Administration of Funds.

- A. The funds paid shall be returned to the Property Owners' Association of Chesapeake Ranch Estates, Inc. in accordance with that Agreement set forth at Subpart B, below, for construction of the improvements and other approved uses.
- B. Before any funds generated by the Special Taxing District are paid over to the Property Owners' Association of Chesapeake Ranch Estates, the Property Owners' Association of Chesapeake Ranch Estates and the Board of County Commissioners shall execute an amendment to the existing agreement outlining the administration of the Special Taxing District, extending that agreement for one (1) additional year.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland, that the President of the Board of County Commissioners of Calvert County, Maryland is authorized to execute an amendment to the Agreement with POACRE (referenced in Section 136-46(B) of Chapter 136 of the Code of Public Local Laws of Maryland, Article 5, (Calvert County)) consistent with this Ordinance;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of this Ordinance shall be enforceable and valid;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this Ordinance shall take effect upon the latter of: recording of this Ordinance, without publication of a fair summary; or July 1, 2023.

DONE, this 27th day of June, 2023 by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5

Nay: 0

Absent/Abstain: 0

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND

Ashley Staples-Reid, Acting Clerk

Earl F Hance, President

Mike Hart, Vice President

Approved for legal sufficiency:

Mark C. Cox Sr.

John B. Norris, County Attorney

Catherine M. Grasso

Received for Record 6/27/23, 20... Fodd Ireland at 3:13 o'clock 8 M. Same day recorded in Liber KPS No. 71 Folio 467-469 COUNTY COMMISSIONERS ORDINANCES AND RESOLUTION.

Garry P. Smith