

**PERTAINING TO THE AMENDMENT OF THE
ECONOMIC DEVELOPMENT INCENTIVE FUND.**

WHEREAS, the Board of County Commissioners of Calvert County, Maryland established the Economic Development Incentive Fund by Ordinance 30-05 as Chapter 35 of the Code of Calvert County, being Chapter 35 of *Article 5* of the Code of Public Laws of Maryland (hereinafter, the "Code") pursuant to Title 11, Subtitle 4 of the Code of Public Local Laws, Calvert County;

WHEREAS, the Calvert County Department of Economic Development has recommended decreasing from 25 to 10 the number of full-time jobs a specified applicant must plan to create in order to be eligible for a direct loan or grant from the Economic Development Incentive Fund;

WHEREAS, Title 11, Subtitle 4 of the Code of Public Local Laws, Calvert County was amended by 2016 Laws of Maryland, Chapter 140 to allow a decrease from 25 to 10 the number of full-time jobs a specified applicant must plan to create in order to be eligible for a direct loan or grant from the Economic Development Incentive Fund;

WHEREAS, after due notice was published, the Board of County Commissioners conducted a public hearing on September 27, 2016, to solicit public comments upon the adoption of amendment of Chapter 35 of the Code; and

WHEREAS, after considering the evidence which had been presented at the public hearing and in furtherance of the public health, safety and welfare, the Board of County Commissioners of Calvert County, Maryland determined it is in the best interest of the citizens of the County to enact the amendments to Chapter 35 the Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that §35-5 of Chapter 35 of the Code of Calvert County, being Chapter 35 of *Article 5* of the Code of Public Laws of Maryland, be amended and re-adopted and re-enacted as follows:

§ 35-5 Eligibility.

- A. To be eligible for a direct loan or grant under this Chapter, a qualified company shall:
1. Establish new operations or facilities in Calvert County or significantly expand existing operations or facilities in Calvert County; and
 2. Create ten (10) new full-time or full-time equivalent jobs in Calvert County; and
 3. Make a capital investment or a commitment to continue operations:
 - a. Make a capital investment of at least \$1,000,000; or
 - b. Make a commitment to continue operations at its Calvert County facility for at least five years.

B. A request by a qualified company must be consistent with the Calvert County Comprehensive Plan.

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 the 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.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this Ordinance shall be effective upon recordation and publication of a fair summary.

DONE, this 18th day of October 2016 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 5
Nay: 0
Absent/Abstain: 0

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND

Maureen L. Frederick
Maureen L. Frederick, Clerk

Evan K. Slaughterhaupt Jr.
Evan K. Slaughterhaupt Jr., President

Approved for form and legal sufficiency by:

Tom Hejl
Tom Hejl, Vice-President

Mike Hart
Mike Hart

John B. Norris, III
John B. Norris, III, County Attorney

Pat Nutter
Pat Nutter

Received for Record October 19, 2016
at 1045 o'clock A M. Same day
Recorded in Liber KPS No. 50
Folio 200 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith