

ORDINANCE No. 2023- 04

AN ORDINANCE ADOPTING AMENDMENTS TO THE CODE OF PUBLIC LOCAL LAWS AND ORDINANCES OF CARROLL COUNTY, MARYLAND

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

WHEREAS, the Board voted on March 9, 2023 to impose a temporary moratorium on the processing, review, permitting, and construction of all community solar energy generating systems in the County’s “A” Agricultural District for a period of six (6) months; and

WHEREAS, the Board established a Working Group composed of community and industry stakeholders and County Staff to study this matter and propose recommendations and policy changes, and

WHEREAS, The Carroll County Planning and Zoning Commission on June 20, 2023, recommended adoption of this amendment, and

WHEREAS, the Board has determined the community solar energy generating systems are not an appropriate use in the County’s “A” Agricultural District,

NOW, THEREFORE, BE IT ENACTED this 13th day of July, 2023 by the Board of County Commissioners of Carroll County, Maryland:

ARTICLE I. AMENDMENTS.

Section 1. The Code of Public Local Laws and Ordinances of Carroll County, Title XV, Land Use Chapter 158, Zoning Regulations § 158.153 (E) “Community solar energy generating systems (CSEGS), in agricultural zones”, is hereby repealed and deleted in its entirety.

ARTICLE II. SEVERABILITY.

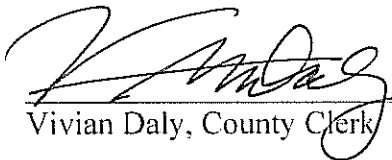
Should any provision, section, paragraph or subparagraph of this ordinance, including any code, or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having jurisdiction; the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph, or subparagraph is expressly declared to be and is deemed severable.

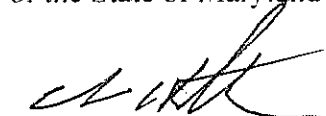
ARTICLE III. EFFECTIVE DATE.

This Ordinance shall become effective July 23, 2023.

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

ATTEST:



Vivian Daly, County Clerk


Edward C. Rothstein, President (SEAL)

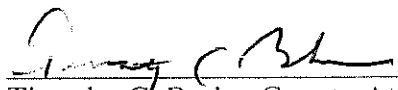

Kenneth Kiler Vice-President (SEAL)


Joseph Viglioti, Commissioner (SEAL)


Thomas Gordon III, Commissioner (SEAL)


Michael Guerin, Commissioner (SEAL)

Approved for legal sufficiency:

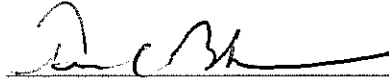

Timothy C. Burke, County Attorney

LR - Government 0.00
Instrument
Agency Name: CC
Commissioners
Instrument List: Other
Describe Other:
Ref:
Total: 0.00
07/19/2023 01:33
CC06-SD
#17420726 CC0502 -
Carroll
County/CC05.02.01 -
Register 01

Notice of Public Hearing published: June 16 & June 23, 2023
Public Hearing held: March 29, 2023 (moratorium)
Public Meeting to adopt Ordinance: July 13, 2023
Notice of Adoption of Ordinance published: July 18, 2023
Ordinance filed with Clerk of Court: July 19, 2023

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 23rd day of July, 2023.

HS-
Bethany MB
Henderson



Timothy C. Burke, County Attorney

MMS