

**CODE HOME RULE
BILL NO. 1-16**

A Bill Entitled:

“Rehabilitation of Commercial Structures Tax Credit”

**“AN ACT TO ESTABLISH A REHABILITATION OF COMMERCIAL
STRUCTURES TAX CREDIT, ARTICLE XII, CHAPTER 492, OF THE
CODE OF PUBLIC LOCAL LAWS OF ALLEGANY COUNTY, MARYLAND
(2011 EDITION AS AMENDED), ENTITLED
“REHABILITATION OF COMMERCIAL STRUCTURES TAX CREDIT””**

SECTION I.

WHEREAS, § 9-256 of the Tax Property Article of the Annotated Code of Maryland authorizes a tax credit for the rehabilitation of commercial structures; and,

WHEREAS, the Board of County Commissioners of Allegany County, Maryland, wish to establish a Rehabilitation of Commercial Structures Tax Credit.

NOW, THEREFORE, Article XII of Chapter 492 of the *Code of Public Local Laws of Allegany County, Maryland (2011 Edition, as amended)*, is hereby enacted to read as follows:

SECTION II.

**Article XII
Rehabilitation of Commercial Structures Tax Credit**

§ 492-34. Statutory Authority; Jurisdiction; Applicability.

A. Authority. This Article is authorized under the provisions of § 9-256 of the Tax Property Article of the Annotated Code of Maryland.

B. Jurisdiction. This Article shall apply in the incorporated areas of Allegany County which have also adopted a Rehabilitation of Commercial Structures Tax Credit.

C. Applicability. An owner of commercial real property located within the corporate boundaries of a municipality in Allegany County that has adopted a Rehabilitation of Commercial Structures Tax Credit is eligible for a tax credit against the property tax imposed on improvements to real property based upon qualifying investments made to the property.

§ 492-35. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

A. QUALIFYING INVESTMENT

(1) "Qualifying Investment" means the cost of installation or rehabilitation of building features for the purpose of bringing an existing commercial structure in compliance with current building codes related to safety or accessibility.

(2) "Qualifying Investment" includes costs incurred for:

- (a) elevators;
- (b) fire suppression systems;
- (c) means of ingress and egress; or
- (d) architectural or engineering services related to installation or rehabilitation of these or similar building features.

B. OWNER – Person, persons, partnership, limited-liability corporation, or corporation owning real property in Allegany County, Maryland.

C. TAX CREDIT – A tax credit granted pursuant to this article.

D. TAX YEAR – July 1, 2016, through June 30, 2017, and each tax year thereafter.

492-36. Tax Credit Eligibility.

A. Subject to rules & regulations promulgated under this Article, a tax credit is available to any owner making a qualified investment of at least \$25,000 in commercial property in a municipality in Allegany County that has adopted a Rehabilitation of Commercial Structures Tax Credit.

B. The tax credit granted under this Article shall be in the same amount as authorized by the municipality in which the property is located, which amount cannot exceed fifty percent (50%) of the qualifying investment.

C. The tax credit shall be for the same duration as granted by the municipality, which shall be for up to a ten-year period in an equal amount each year.

D. Application for the tax credit shall be made to the municipality in which the property is located, and the owner shall abide by all rules and regulations related to the tax credit established by the municipality.

E. Certificate of eligible properties. The municipality which has established a Rehabilitation of Commercial Structures Tax Credit shall provide certification to the Finance Office of the County as to those properties meeting the eligibility requirements for the tax credit. The County shall grant a tax credit to those properties so certified and meeting the requirements of this article.

F. Termination of tax credit. In order to be otherwise eligible for the tax credit provided for under this article, the owner must remain current in any and all taxes assessed against the property for which the credit is sought. In the event any such property becomes in arrears, the owner shall cease to be eligible for the tax credit for any year in which taxes are delinquent.

SECTION III.

All other provisions of the *Code of Public Local Laws of Allegany County, Maryland (2011 Edition, as amended)*, ordinances, regulations, and orders, or parts thereof, inconsistent with the terms and provisions of this Bill, are hereby repealed.

SECTION IV.

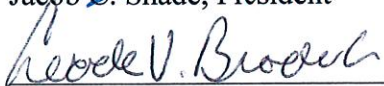
AND BE IT FURTHER ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ALLEGANY COUNTY, MARYLAND, that this Act shall become effective July 1, 2016.

PASSED this 25th day of February, 2016.

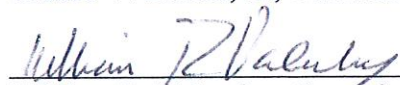
**BOARD OF COUNTY COMMISSIONERS
OF ALLEGANY COUNTY, MARYLAND**



Jacob C. Shade, President

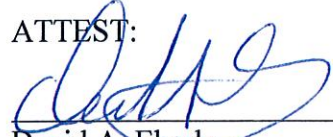


Creade V. Brodie, Jr., Commissioner



William R. Valentine, Commissioner

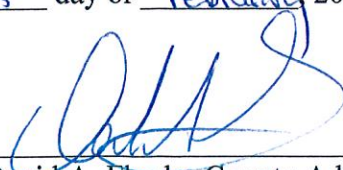
ATTEST:



David A. Eberly
County Administrator

CERTIFICATION

I, David A. Eberly, County Administrator and Clerk to the County Commissioners of Allegany County, Maryland, hereby certify that the above action of the Commissioners is a part of the formal, written record of the public meeting on the 25th day of February, 2016.



David A. Eberly, County Administrator

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