

ORDINANCE NO. 2023-01

AN ORDINANCE ADOPTING AN AMENDMENT 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"; and

**WHEREAS**, The Board is authorized under the Local Government Article of the Annotated Code of Maryland to enact and amend ordinances; and

**WHEREAS**, the Board desires to review existing requirements in light of changing technology, changing consumer demands, and changes to existing infrastructure in the County in the “A” Agricultural District and to evaluate the suitability and siting of community solar energy generating systems; and

**WHEREAS**, the Board desires to impose a six (6) month moratorium on the processing, review, permitting, and construction of community solar energy generating systems in the “A” Agricultural Zone to allow the Department of Land and Resource Management, the Department of Planning, and County staff time to study these matters and, if appropriate, to propose recommendations and policy changes before development of community solar energy generating systems occurs that may be contrary or hostile to the purpose of the “A” Agricultural District, as defined in 158.070(A).

**NOW, THEREFORE, BE IT ENACTED** by the Board that Title XI Business Regulations Chapter 113 Community Solar Energy Generating Systems – Temporary Moratorium is added as follows:

**ARTICLE I**

Community Solar Energy Generating Systems – Temporary Moratorium

There shall be a temporary moratorium on the processing, review, permitting, and construction of all community solar energy generating systems as defined in § 158.002 of the Code in the County’s “A” Agricultural District for a period of six (6) months starting with the effective date of Ordinance 2023 - 01.

**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.

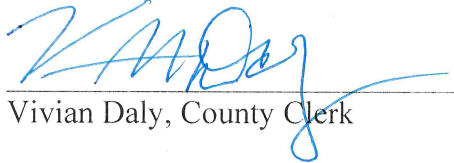
**ARTICLE II. EFFECTIVE DATE.**

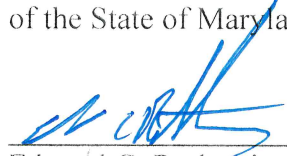
This Ordinance shall become effective \_\_\_\_\_, 2023.

ADOPTED \_\_\_\_\_

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 Vigliotti, Commissioner (SEAL)

  
\_\_\_\_\_  
Tom Gordon III, Commissioner (SEAL)

  
\_\_\_\_\_  
Michael Guerin, Commissioner (SEAL)

Approved for legal sufficiency:

  
\_\_\_\_\_  
Timothy C. Burke, County Attorney

Notice of Public Hearing published: February 2, 2023 and February 16, 2023

Public Hearing held: February 23, 2023

Public Meeting to adopt Ordinance: March 9, 2023

Notice of Adoption of Ordinance published: \_\_\_\_\_

Ordinance filed with Clerk of Court: \_\_\_\_\_

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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Timothy C. Burke, County Attorney