

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2014-16

BILL NO. 2014-26

Title of Bill: Approval - Maryland Agricultural Land Preservation Foundation - Reisler Property

Synopsis: A Bill to approve the petition of J. David Reisler Sr. and J. David Reisler Jr. for the property of 80 Lombard Road, Rising Sun, MD 21911 (Tax Map 12, Grid 1, Parcel 1) requesting a recommendation of approval to submit an application for the purchase of an easement to the Maryland Agricultural Land Preservation Foundation.

Introduced by: Council President at the request of the Department of Planning and Zoning

Introduced and order posted on: August 19, 2014

Public hearing scheduled on: September 2, 2014 at 7:00 p.m.

Consideration scheduled on: September 16, 2014

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by August 20, 2014, at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on August 22, 2014 and August 29, 2014, a public hearing was held on September 2, 2014, and concluded on September 16, 2014.

By: James Massy
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
{Brackets} indicate matter deleted from existing ordinance.
Underlining indicates language added to ordinance by amendment.
~~Strike through~~ indicates language stricken out of an Ordinance by amendment.

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1 **WHEREAS**, pursuant to Section 2-501-502 of the Agriculture Article of the Annotated Code of
2 Maryland, the Maryland Agricultural Land Preservation Foundation (MALPF) was established in the
3 Department of Agriculture to protect agricultural land and woodland as open-space land; and

4 **WHEREAS**, pursuant to Section 2-504.1(a), in each county containing productive agricultural land,
5 the county governing body shall appoint an agricultural preservation board; and

6 **WHEREAS**, the county agricultural land preservation board shall advise the county governing body
7 with respect to the establishment of agricultural districts; and to approve or disapprove an application for
8 certification; and

9 **WHEREAS**, pursuant to Section 2-509(b)(1-2) one or more owners of land actively devoted to
10 agricultural use may file a petition with the county governing body requesting the establishment of an
11 agricultural district or an application for the purchase of an easement by the Foundation; and shall refer
12 the petition or application to the county agricultural land preservation board and to the county planning
13 and zoning body; and

14 **WHEREAS**, the county agricultural land preservation board shall advise the county governing body
15 as to whether or not the land in the proposed district or proposed easement meets the qualifications
16 established by MALPF; and whether or not the board recommends establishment of the district; and

17 **WHEREAS**, the county planning and zoning board shall advise the local governing body as to
18 whether or not establishment of the district is compatible with existing and approved county plans and
19 overall county policy, and whether or not the planning and zoning body recommends establishment of
20 the district; and

21 **WHEREAS**, if either the county agricultural land preservation board or the planning and zoning
22 body recommends approval, the county governing body shall hold a public hearing on the petition;

23 **WHEREAS**, the county governing body shall render a decision as to whether or not the petition or
24 application shall be recommended to MALPF for approval; and

25 **WHEREAS**, if the county governing body decides to recommend approval of the petition or
26 application, it shall notify MALPF and forward the petition or application and all accompanying materials,
27 including the recommendations of the county agricultural land preservation board and county planning
28 and zoning body; and

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29 **WHEREAS**, the Cecil County Agricultural Land Preservation Advisory Board has recommended
30 approval of the application of J. David Reisler Sr. and J. David Reisler Jr. for the property of 80 Lombard
31 Road, Rising Sun, Elkton, MD 21911 (Tax Map 12, Grid 1, Parcel 1); and

32 **WHEREAS**, the Cecil County Office of Planning and Zoning has recommended approval of the
33 application of J. David Reisler Sr. and J. David Reisler Jr. for the property of 80 Lombard Road, Rising Sun,
34 Elkton, MD 21911 (Tax Map 12, Grid 1, Parcel 1).

35 **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Council of Cecil County, Maryland, that
36 the application of J. David Reisler Sr. and J. David Reisler Jr. for the property of 80 Lombard Road, Rising
37 Sun, Elkton, MD 21911 (Tax Map 12, Grid 1, Parcel 1); and

38 **BE IT FURTHER RESOLVED** that the application be forwarded to the Maryland Agricultural Land
39 Preservation Foundation for their approval.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.


BY Council Manager

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CECIL COUNTY BILL NO: 2014-26

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CERTIFIED TRUE AND CORRECT

James Massey

Council Manager

Date: September 16, 2014

ENROLLED

[Signature]

Council President

Date: 9-16-14

BY THE COUNCIL

Read the third time.

Passed – LSD 2014-18

Failed of Passage – LSD _____

BY: James Massey
Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this 17th day of September, 2014 at 11:30 am.
(10 business days from adoption 306)

BY: James Massey
Council Manager

BY THE EXECUTIVE:

Jari More
Cecil County Executive

APPROVED Date: 9/19/14

VETOED Date: _____
(10 business days from presentation 306)

BY THE COUNCIL

This Bill No. 2014-26 having been approved by the Executive and returned to the Council becomes law on September 19, 2014 with an effective date of November 18, 2014

BY: James Massey
Council Manager