

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND ENTITLED “AN ORDINANCE TO RENUMBER SECTIONS 3-5 AND 3-6 OF THE CITY CODE AS 3.6 AND 3.7, RESPECTIVELY, AND TO ENACT A NEW SECTION 3-5 OF THE CITY CODE PERTAINING TO THE ESTABLISHMENT OF A TAX CREDIT FOR MEMBERS OF THE CITY OF FROSTBURG VOLUNTEER FIRE DEPARTMENT.”

WHEREAS, City of Frostburg Department No. 1, Inc. is the corporate name of the City of Frostburg Volunteer Fire Department (the “FVFD”);

WHEREAS, in accordance with Section 9-260 of the Tax-Property Article of the Annotated Code of Maryland, the Mayor and City Council are passing this Ordinance to establish real estate tax credit for eligible members of the FVFD;

WHEREAS, statewide, there is a decreasing pool of persons who are eligible and willing to serve as fire department volunteers;

WHEREAS, the FVFD provides fire protection services for the City, the adequacy of which is dependent upon the number of its firefighter volunteers;

WHEREAS, this Ordinance is designed to incentivize persons to serve as volunteer firefighters with the FVFD; and

WHEREAS, the Mayor and City Council believe the passage of this Ordinance is in the City’s best interest.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND that Section 3-5 and 3-6 of the City Code are renumbered as Sections 3-6 and 3-7, respectively.

SECTION 2: BE IT FURTHER ORDAINED that Section 3-5 of the Frostburg City Code is hereby enacted, to read as is set forth in the attached Exhibit A.

SECTION 3: BE IT FURTHER ORDAINED, that this Ordinance shall take effect as of the date of its passage, but the credit will first be available for the taxes due for FY2026.

THE MAYOR AND CITY COUNCIL OF
FROSTBURG

By: _____
Todd Logsdon, Mayor

ATTEST:

Lydia Claar,
Acting Deputy City Administrator

Introduced:
Public Hearing:
Adopted:
Effective:

EXHIBIT A

Sec. 3-5. Tax credits for members of Frostburg Volunteer Fire Department.

- (a) Definitions. For the purposes of this section.

“Dwelling” has the meaning set forth in Section 9-105 of the Tax-Property Article of the Annotated Code of Maryland, as may be amended from time to time.

“FVFD” means the City of Frostburg Department No. 1, Inc., the corporate name of the City of Frostburg Volunteer Fire Department.

“Public Safety Officer” or “Volunteer” means a volunteer firefighter with the FVFD. The City’s elected officials are not Volunteers for the purpose of this section of the City Code and are not eligible for the Tax Credit.

“Tax Credit” means the tax credit which is the subject of this Section.

- (b) *Purpose.* This section is passed in accordance with Section 9-260 of the Annotated Code of Maryland, which authorizes the governing authority or a municipal and county government to grant a credit against the county or municipal corporation property tax imposed on a Dwelling located in the county or municipal corporation that is owned by a public safety officer who is eligible for the credit authorized under section 9-105 of the aforesaid Tax-Property Article (i.e., the Homestead Property Tax Credit). The purpose of this section of the City Code is to establish a such credit for eligible Volunteers of the FVFD in order to attract new Volunteers and retain current ones.
- (c) *Eligibility criteria.* To be eligible for the Tax Credit for each year it is sought, all of the criteria set forth below must be satisfied:
- (i) As of the July 1 of the tax year for which the credit is sought, the Volunteer is alive, is an active member of the FVFD, and has successfully completed any initial probationary period required by the FVFD.
 - (ii) The Tax Credit is exclusively available for Dwellings.
 - (iii) The Volunteer must be an active member of the FVFD as of the June 1 preceding the tax year for which the credit is sought, as certified in a writing provided by two officers of the FVFD. The certification shall be provided to the City’s Director of Finance no later than the May 1 preceding the tax year for which the Tax Credit is sought. The Tax Credit will not be granted unless and until the Chief produces this certification.
 - (iv) The Volunteer must satisfy the eligibility requirements of the income tax credit provided under the Honorable Louis L. Goldstein Volunteer Police, Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program set forth in Section 10-208(i-1) and (l) of the Tax-General Article of the Annotated Code of Maryland, as amended from time to time.
 - (v) The Volunteer must complete and submit an application for the Tax Credit in accordance with the requirements set forth hereinafter.
 - (vi) The Volunteer must meet all of the other terms and conditions set forth herein.

(d) *Application process.*

- (1) The City's Director of Finance shall create a form application to be provided to all persons seeking to apply for the Tax Credit.
- (2) The applications must be submitted no later than the May 1 preceding the tax year for which the credit is sought. Without exception, late applications shall be rejected.
- (3) If an application is rejected, the applicant may not submit an application for a Tax Credit until the next tax year.
- (4) An application must be submitted for each year the Tax Credit is sought. Applications will not carry over from year to year.

(e) *Credit amount.*

- (1) If a Dwelling is solely owned by one (1) Volunteer or it is owned by multiple persons, only one of whom is a Volunteer, the Tax Credit shall not exceed \$500.00 per year.
- (2) If a Dwelling is owned by two (2) or more Volunteers, the Tax Credit shall not exceed \$1,000.00.
- (3) The Tax Credit may not exceed the amount of the City taxes due for the year the Tax Credit is sought.
- (4) If a Tax Credit has been granted for a Dwelling which is sold during the tax year for which the tax Credit has been granted, a portion of the Tax Credit shall be refunded to the City for the portion of the tax year following the date of the deed transferring the Dwelling from the Volunteer to a third party.
- (5) The Tax Credit is not transferable.
- (6) The Tax Credit may not be combined with any tax credits other than the Homestead Tax Credit.