



39 Town of Perryville, to follow immediately after Section 50-5 of Chapter 50 of the Code, and to  
40 read as follows:

41 **§53-1 PURPOSE**

42  
43 THE PURPOSE OF THIS CHAPTER IS TO ESTABLISH A HOTEL ECONOMIC  
44 DEVELOPMENT INCENTIVE PROGRAM (“PROGRAM”) TO STIMULATE NEW HOTEL  
45 LOCATION AND ECONOMIC DEVELOPMENT INCLUDING AMENITIES ALONG WITH  
46 A HOTEL IN THE TOWN OF PERRYVILLE. AS AN ECONOMIC DEVELOPMENT TOOL  
47 THE PROGRAM IS INTENDED TO PROVIDE ECONOMIC INCENTIVES TO  
48 ENCOURAGE QUALITY HOTELS TO LOCATE IN THE TOWN OF PERRYVILLE,  
49 INCREASE LOCAL EMPLOYMENT, EXPAND THE TAX TOWN’S BASE, AND CREATE  
50 LONG-TERM CAPITAL INVESTMENT AND NEW WEALTH OPPORTUNITIES IN THE  
51 TOWN.

52  
53 **§53-2 PROGRAM ESTABLISHED**

54  
55 A. A HOTEL ECONOMIC DEVELOPMENT INCENTIVE PROGRAM IS  
56 ESTABLISHED IN AND FOR THE TOWN OF PERRYVILLE. THE PROGRAM SHALL BE  
57 IMPLEMENTED AND ADMINISTERED IN ACCORDANCE WITH THIS CHAPTER.

58  
59 B. THE PROGRAM CONSISTS OF SEVERAL PARTS:

- 60  
61 (1) CRITERIA FOR ELIGIBILITY FOR PARTICIPATION;  
62  
63 (2) AN APPLICATION AND APPROVAL PROCESS;  
64  
65 (3) AVAILABLE ECONOMIC DEVELOPMENT INCENTIVES; AND  
66  
67 (4) AN ECONOMIC DEVELOPMENT INCENTIVES AGREEMENT.

68  
69 C. ECONOMIC INCENTIVES PROVIDED UNDER THE PROGRAM MAY BE  
70 USED WITH OTHER INCENTIVES AND ECONOMIC DEVELOPMENT TOOLS  
71 AVAILABLE TO ENCOURAGE THE CONSTRUCTION AND OPERATION OF NEW  
72 HOTELS IN THE TOWN OF PERRYVILLE.

73  
74  
75 **§53-3 IMPLEMENTATION AND ADMINISTRATION OF PROGRAM**

76  
77 EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THE TOWN  
78 DIRECTOR OF PLANNING AND ZONING AND THE TOWN FINANCE DIRECTOR  
79 SHALL IMPLEMENT AND ADMINISTER THE HOTEL ECONOMIC DEVELOPMENT  
80 INCENTIVE PROGRAM. THE MAYOR AND COMMISSIONERS SHALL BE  
81 RESPONSIBLE FOR APPROVING PROGRAM PARTICIPANTS AND ECONOMIC  
82 DEVELOPMENT INCENTIVES AGREEMENTS.

83  
84

85 **§53-4 ELIGIBILITY FOR PARTICIPATION IN PROGRAM**

86  
87 A. ELIGIBILITY TO PARTICIPATE IN THE PROGRAM IS LIMITED TO  
88 THOSE APPLICANTS THAT SATISFY THE CRITERIA IN THIS SECTION.

89  
90 B. THE APPLICANT IS AUTHORIZED TO ENGAGE IN BUSINESS IN  
91 MARYLAND.

92  
93 C. THE APPLICANT PROPOSES THE DEVELOPMENT AND  
94 CONSTRUCTION OF A HOTEL IN THE TOWN OF PERRYVILLE THAT THE  
95 APPLICANT DEMONSTRATES, WHEN COMPLETED, WILL FULFILL THE  
96 REQUIREMENTS OF THE PROGRAM. THE PROPOSED HOTEL MUST HAVE:

97  
98 (1) A MINIMUM OF 200 ROOMS;

99  
100 (2) AN ESTIMATED TOTAL PROJECT COST OF NOT LESS THAN  
101 \$30,000,000.00; AND

102  
103 (3) AN EMPLOYEE PAYROLL OF NOT LESS THAN 200 JOBS IN ANY  
104 COMBINATION OF FULL-TIME JOBS AND PART-TIME JOBS, COMMENCING IN THE  
105 FIRST FULL CALENDAR YEAR AFTER THE HOTEL IS OPEN FOR OPERATION.

106  
107 ~~D. THE APPLICANT AGREES TO USE GOOD FAITH EFFORTS TO IDENTIFY~~  
108 ~~AND RECRUIT QUALIFIED CANDIDATES FROM PERRYVILLE THAT INCLUDES, BUT~~  
109 ~~IS NOT LIMITED TO, HOLDING JOB FAIRS IN THE TOWN OF PERRYVILLE FOR~~  
110 ~~INITIAL HIRING AND PERIODICALLY THEREAFTER IF NEEDED, AND~~  
111 ~~ADVERTISING ALL JOB FAIRS TO TOWN RESIDENTS. THE APPLICANT AGREES TO~~  
112 USE GOOD FAITH EFFORTS TO EMPLOY QUALIFIED EMPLOYMENT CANDIDATES  
113 FROM PERRYVILLE, TO CONDUCT ONE OR MORE JOB FAIRS IN THE TOWN, AND  
114 TO PROVIDE PERIODICALLY LISTINGS OF JOB OPENINGS TO THE TOWN  
115 GOVERNMENT FOR DISSEMINATION AS THE TOWN SEES FIT.

116  
117 E. THE HOTEL SHOULD BE A "FULL SERVICE HOTEL" AS DEFINED BY  
118 THE HOTEL INDUSTRY STANDARDS.

119  
120 F. THE APPLICANT OR ITS AFFILIATES MUST DEMONSTRATE  
121 EXPERIENCE DEVELOPING OR OPERATING FULL SERVICE HOTELS AND  
122 HOSPITALITY VENUES.

123  
124 **§53-5 PROGRAM PARTICIPATION APPLICATION PROCESS**

125  
126 A. THE DIRECTOR OF PLANNING AND ZONING AND FINANCE  
127 DIRECTOR SHALL PRESCRIBE THE FORM OF AN APPLICATION FOR AN ENTITY TO  
128 PARTICIPATE IN THE PROGRAM. THE APPLICATION SHALL BE FOR THE PURPOSE  
129 OF DETERMINING ELIGIBILITY FOR THE PROGRAM.

131 B. AN ENTITY THAT DESIRES TO PARTICIPATE IN THE PROGRAM SHALL  
132 FILE AN APPLICATION AS PRESCRIBED BY THE PLANNING AND ZONING  
133 DIRECTOR AND FINANCE DIRECTOR. AN ENTITY MAY NOT PARTICIPATE IN THE  
134 PROGRAM UNLESS AN APPLICATION IS SUBMITTED BEFORE THE ENTITY APPLIES  
135 FOR ANY TOWN APPROVALS FOR THE PROJECT OR OTHERWISE COMMENCES  
136 THE PROJECT.

137  
138 C. THE DIRECTOR OF PLANNING AND ZONING AND FINANCE DIRECTOR  
139 SHALL DETERMINE WHEN AN APPLICATION IS COMPLETE. WHEN THE  
140 DIRECTORS DETERMINE THAT THE APPLICATION, INCLUDING ANY REQUIRED  
141 SUPPORTING DOCUMENTS, IS COMPLETE, THE DIRECTORS SHALL NOTIFY THE  
142 TOWN ADMINISTRATOR AND MAYOR AND COMMISSIONERS THAT THE  
143 APPLICATION WAS FILED AND SUBMIT THE APPLICATION FOR EVALUATION IN  
144 ACCORDANCE WITH §53-6.

145  
146 **§53-6 APPLICANT EVALUATION PROCESS**

147  
148 A. THERE IS AN APPLICATION EVALUATION TEAM CONSISTING OF THE  
149 DIRECTOR OF PLANNING AND ZONING, THE FINANCE DIRECTOR AND THE TOWN  
150 ADMINISTRATOR.

151  
152 B. THE EVALUATION TEAM SHALL EVALUATE EACH COMPLETE  
153 APPLICATION. THE EVALUATION TEAM SHALL CONSIDER AT LEAST THE  
154 FOLLOWING:

155  
156 (1) WHETHER THE APPLICANT IS ELIGIBLE FOR PARTICIPATION IN  
157 THE PROGRAM;

158  
159 (2) WHETHER THE APPLICATION COMPLIES WITH THE  
160 REQUIREMENTS OF THIS CHAPTER AND THE PROGRAM;

161  
162 (3) WHETHER THE PROPOSED HOTEL WILL FULFILL THE PURPOSE OF  
163 THE PROGRAM;

164  
165 (4) WHETHER THE PROGRAM INCENTIVES REQUESTED BY THE  
166 APPLICANT ARE REASONABLE, PROPORTIONATE TO THE BENEFITS TO BE  
167 RECEIVED BY THE TOWN, AND LIKELY TO FULFILL THE PURPOSES OF THE  
168 PROGRAM; AND

169  
170 (5) WHETHER THE PROGRAM INCENTIVES REQUESTED BY THE  
171 APPLICANT ARE FINANCIALLY SUSTAINABLE BY THE TOWN.

172  
173 C. THE EVALUATION TEAM MAY REQUEST THE APPLICANT TO  
174 FURNISH ADDITIONAL MATERIALS AS THE TEAM NEEDS TO COMPLETE ITS  
175 REVIEW.  
176

177 D. THE EVALUATION TEAM MAY SEEK COMMENTS FROM OTHERS TO  
178 ASSIST THE TEAM WITH ITS EVALUATION.

179  
180 E. THE EVALUATION TEAM SHALL COMPLETE ITS EVALUATION AS  
181 PROMPTLY AS POSSIBLE.

182  
183 F. AFTER THE EVALUATION TEAM COMPLETES ITS REVIEW OF AN  
184 APPLICATION, THE EVALUATION TEAM MAY REJECT THE APPLICATION OR  
185 NEGOTIATE A PROPOSED INCENTIVES AGREEMENT UNDER § 53-8.

186  
187 **§53-7 ECONOMIC DEVELOPMENT INCENTIVES**

188  
189 A. THE TOWN MAY PROVIDE THE FOLLOWING PROGRAM INCENTIVES  
190 AS PART OF AN INCENTIVES AGREEMENT BETWEEN THE TOWN AND AN  
191 APPLICANT:

192  
193 (1) A FINANCIAL GRANT OR GRANTS IN THE AMOUNT OR AMOUNTS  
194 OF UP TO 100 PERCENT OF HOTEL TAXES PAID FOR A PERIOD OF UP TO 25 YEARS  
195 ON ACCOUNT OF THE HOTEL TO BE CONSTRUCTED AND OPERATED;

196  
197 (2) A FINANCIAL GRANT OR GRANTS IN THE AMOUNT OR  
198 AMOUNTS OF UP TO 50 PERCENT OF PERSONAL PROPERTY TAXES PAID FOR A  
199 PERIOD OF UP TO 25 YEARS ON ACCOUNT OF THE HOTEL TO BE CONSTRUCTED  
200 AND OPERATED;

201  
202 (3) UTILITY AND OTHER PUBLIC INFRASTRUCTURE IMPROVEMENTS  
203 TO BE UNDERTAKEN BY THE TOWN;

204  
205 (4) ADJUSTMENT OF UTILITY FEES AND CHARGES OTHERWISE  
206 CHARGEABLE BY THE TOWN; AND

207  
208 (5) OTHER INCENTIVES REASONABLY CALCULATED TO FURTHER  
209 AND FULFILL THE PURPOSES OF THE PROGRAM.

210  
211 B. FINANCIAL GRANTS MAY BE USED TO FUND ANY ONE OR MORE OF  
212 THE FOLLOWING IN CONNECTION WITH A HOTEL PROJECT:

213  
214 (1) PUBLIC IMPROVEMENTS ASSOCIATED WITH THE PROJECT;

215  
216 (2) REAL AND PERSONAL PROPERTY ACQUISITION AND SITE  
217 DEVELOPMENT;

218  
219 (3) FACILITY CONSTRUCTION;

220  
221 (4) REAL PROPERTY IMPROVEMENTS; ~~AND~~

223 (5) RESTORATION OR ADAPTIVE REUSE OF EXISTING STRUCTURES  
224 ASSOCIATED WITH THE PROJECT; AND

225  
226 (6) OPERATING EXPENSES.

227  
228 C. THE INCENTIVES AGREEMENT SHALL PROVIDE THAT IF THE  
229 OPERATOR OF THE HOTEL CHANGES DURING THE TERM OF THE INCENTIVES  
230 AGREEMENT, IN ORDER TO CONTINUE RECEIVING INCENTIVES EACH  
231 SUBSEQUENT OPERATOR MUST DEMONSTRATE IT HAS EXPERIENCE  
232 DEVELOPING OR SUCCESSFULLY OPERATING FULL SERVICE HOTELS PURSUANT  
233 TO "INDUSTRY STANDARDS" AND HOSPITALITY VENUES.

234  
235 **§53-8 NEGOTIATION OF INCENTIVES AND AGREEMENT**

236  
237 THE EVALUATION TEAM MAY NEGOTIATE A PROPOSED INCENTIVES  
238 AGREEMENT WITH THE APPLICANT IF THE TEAM DETERMINES THAT THE  
239 PROPOSED HOTEL PROJECT IS IN THE INTERESTS OF THE TOWN AND THAT  
240 INCENTIVES ARE REASONABLY NECESSARY FOR THE APPLICANT TO PROCEED  
241 WITH THE HOTEL PROJECT.

242  
243 **§53-9 APPROVAL OF INCENTIVES AND AGREEMENT**

244  
245 IF THE EVALUATION TEAM AND THE APPLICANT NEGOTIATE AN  
246 INCENTIVES AGREEMENT, THE EVALUATION TEAM SHALL PRESENT THE  
247 EVALUATION TEAM'S RECOMMENDATION AND THE PROPOSED INCENTIVES  
248 AGREEMENT TO THE MAYOR AND COMMISSIONERS. THE MAYOR AND  
249 COMMISSIONERS MAY APPROVE OR REJECT AN INCENTIVE AGREEMENT. THE  
250 MAYOR AND COMMISSIONERS MUST APPROVE AN INCENTIVE AGREEMENT AT A  
251 MEETING OPEN TO THE PUBLIC IN THE FORM OF AN ORDINANCE.

252  
253 **§53-10 DEFAULT AND TERMINATION OF AGREEMENT**

254  
255 AN INCENTIVES AGREEMENT SHALL REQUIRE THAT IF AN APPLICANT  
256 COMMITS A MATERIAL BREACH OF THE AGREEMENT FUTURE INCENTIVES NOT  
257 YET PROVIDED MAY TERMINATE.

258  
259 **§53-11 GRANTS SUBJECT TO APPROPRIATION**

260  
261 THE MAYOR AND COMMISSIONERS SHALL PROVIDE APPROPRIATIONS IN  
262 THE TOWN'S ANNUAL BUDGET EACH FISCAL YEAR TO FUND THE TOWN'S  
263 FISCAL OBLIGATIONS UNDER AN INCENTIVES AGREEMENT FOR THAT FISCAL  
264 YEAR.

265  
266 **SECTION 2. AND BE IT FURTHER ENACTED BY THE MAYOR AND**  
267 **COMMISSIONERS OF THE TOWN OF PERRYVILLE** that this Ordinance shall become  
268 effective at the expiration of twenty (20) days following approval by the Mayor and

269 Commissioners.

270

271

272 ADOPTED this 22<sup>nd</sup> day of January, 2019, by a vote of 5 yeas, 0 nays, and 0  
273 abstentions.

274

275 SEAL:


MAYOR AND COMMISSIONERS OF  
THE TOWN OF PERRYVILLE

276

277

278

279


By:   
Robert R. Ashby, Jr., Mayor

280

281

282 ATTEST:

283

284   
Jackie Sample, Town Clerk

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286

287 Date: January 22, 2019