

other information with a request that the local board review the decision of the approving authority. Upon receipt of such appeal the president of the local board shall call a meeting of said board for the purpose of hearing the appeal within fifteen days. At this hearing the board shall receive evidence on the merits of the action to be taken and shall make an independent determination of whether or not the approval sought shall be granted. The board shall render a decision in writing within five days from the date of such hearing and shall furnish a copy thereof to all parties in interest. If the board grants the approval sought such action shall thereafter be binding on the initial approving authority and in such case the State Board of Health may, within thirty (30) days of the date of the decision of the local board, appeal to the Circuit Court as provided in sub-subsection (3) below and the case may be heard and tried as provided in sub-subsection (3) below. If the action sought is the approval of a plat for record and the board approves same a majority of the members thereof shall endorse said plat and it shall thereupon be eligible for recordation without further action by the initial approving authority.

(3) If the local board shall deny the approval sought the person seeking such approval may within thirty (30) days from the date of the decision of the local board appeal to the Circuit Court for Calvert County. Such appeal shall be commenced by docketing a petition stating that the petitioner is aggrieved by the action of the local board and desires the court to review the same. The court shall thereupon set the matter for hearing within thirty days after said petition is filed. The case shall be heard by the court without a jury. The court may admit into evidence the testimony, if any, in the hearings below; however, it shall hear the case on its merits, de novo, and determine to its own satisfaction the merits of the case and pass such order or orders thereon as justice requires. The costs shall be awarded in the discretion of the court.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 6, 1980.

CHAPTER 451

(House Bill 1236)

AN ACT concerning

Property Tax Credits - Circuit Breaker -
Eligibility