

(2) NOTICE OF THE PUBLIC HEARING SHALL BE PROVIDED BY:

(I) NOTICE PUBLISHED IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY ONCE EACH WEEK FOR 2 CONSECUTIVE WEEKS PRIOR TO THE HEARING;

(II) MAIL TO EACH OWNER OF RECORD OF PROPERTY, OVER WHICH THE ROAD OR SEGMENT OF ROAD TO BE DESIGNATED IS LOCATED, AT THE ADDRESS LISTED IN THE TAX RECORDS OF CARROLL COUNTY; AND

(III) NOTICE POSTED ON PROPERTY OVER WHICH THE ROAD OR SEGMENT OF ROAD TO BE DESIGNATED IS LOCATED.

(B) THE ORDINANCE SHALL SPECIFY THE TYPE OF CONSTRUCTION SUBJECT TO REPAYMENT UNDER SUBSECTION (D) OF THIS SECTION.

(C) (1) AFTER ADOPTION OF A ROAD DESIGNATION ORDINANCE, THE COUNTY COMMISSIONERS SHALL INCORPORATE THE CONSTRUCTION OF THE ROAD SO DESIGNATED INTO THE 6-YEAR CAPITAL IMPROVEMENT PROGRAM OF THE COUNTY.

(2) THE COUNTY SHALL MAINTAIN ACCURATE RECORDS OF THE COSTS OF CONSTRUCTION, INCLUDING THE ACQUISITION OF EASEMENTS OR TITLE TO THE PROPERTY, ENGINEERING COSTS, AND IMPROVEMENTS.

(D) (1) AT THE TIME OF DEVELOPMENT OF PROPERTY ON WHICH A ROAD OR SEGMENT OF A ROAD IS DESIGNATED, EACH PROPERTY OWNER SHALL PAY TO THE COUNTY A PROPORTIONATE SHARE OF THE REASONABLE COSTS OF CONSTRUCTION, AS DETERMINED BY A FORMULA SET FORTH IN THE ORDINANCE.

(2) IF A PROPERTY OWNER, WITHOUT CONSIDERATION, DEDICATES TITLE TO PROPERTY OR AN EASEMENT OVER PROPERTY NECESSARY FOR THE CONSTRUCTION OF THE DESIGNATED ROAD OR SEGMENT, THE PROPERTY OWNER IS ENTITLED TO A CREDIT IN THE AMOUNT OF THE APPRAISED VALUE OF THE DEDICATION TO OFFSET THE REPAYMENT OBLIGATIONS SET FORTH IN THIS SUBSECTION OR AS ADOPTED BY ORDINANCE.

(3) THE COUNTY MAY ESTABLISH A REPAYMENT AGREEMENT WITH A PROPERTY OWNER TO ALLOW FOR THE REASONABLE COSTS OF CONSTRUCTION TO BE REPAID OVER A TERM NOT TO EXCEED 5 YEARS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved April 13, 2004.

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