

Ordinance No. \_\_\_\_\_

ORDINANCE:

To amend Chapter 22, "Taxation," of the Rockville City Code so as to add a new Article VI entitled "Commercial Districts" to provide generally for the creation of commercial districts and commercial district management authorities within any commercial district, to establish the Town Square Commercial District, and to further provide for the purposes, obligations and levy of taxes within the Town Square Commercial District

BE IT ORDAINED BY THE Mayor and Council of Rockville, MARYLAND, that Chapter 22 of the Rockville City Code, entitled "Taxation," be amended by adding a new Article VI entitled "Commercial Districts," to include a new Division 1 entitled "In General" and a new Division 2 entitled "Town Square Commercial District" to read as follows:

CHAPTER 22, TAXATION

ARTICLE I. ADMINISTRATION AND COLLECTION OF TAXES AND ASSESSMENTS; CERTIFICATION OF PAYMENT OF TAXES – IN GENERAL

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ARTICLE II. NEW AND EXPANDED PROPERTY TAX CREDITS FOR BUSINESSES

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ARTICLE III. LOCAL SUPPLEMENT TO THE HOMEOWNERS' PROPERTY TAX CREDIT

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ARTICLE IV. PROPERTY TAX CREDIT TO ELIGIBLE HOMEOWNERS TO  
OFFSET INCREASES IN INCOME TAX REVENUES

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ARTICLE V. SPECIAL TAXING DISTRICTS

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ARTICLE VI. COMMERCIAL DISTRICTS

DIVISION 1. IN GENERAL

Sec. 22-60. Authority and purpose.

Pursuant to Article 23A, Section 2(b)(35) of the Annotated Code of Maryland, the City may create and establish commercial districts within the City and commercial district management authorities for any such commercial districts for the purposes of financing the promotion, marketing and the provision of security, maintenance, or other amenities pursuant to Article 23A, Section 2(b)(35) of the Annotated Code of Maryland.

Sec. 22-61. Administration.

The City Manager is responsible for the administration and management of the commercial districts established in this article and for the facilities, programs, and activities operated and maintained as part of the districts. The City Manager may take all actions necessary in furtherance of said responsibility including, but not limited to

(1) establishing policies and procedures

(2) delegating responsibility to appropriate City departments, offices, and staff

(3) entering into agreements with other governmental entities or other persons or entities for the operation and/or maintenance of one or more aspects of the special taxing district.

Sec. 22-62. Budget, appropriation, and tax levy.

(a) The Council shall adopt annual budgets for each commercial district which shall include all costs reasonably attributed to the district, including but not limited to the costs of paying principal and interest on obligations incurred for the district as the principal and interest become due; the cost of designing, constructing, acquiring, establishing, extending, altering, operating and maintaining district facilities and activities; and the cost of administrative, professional and support services provided by, or on behalf of, the City.

(b) Funds for the commercial districts shall be budgeted and appropriated in the same manner as for the City generally, and may be done concurrently with the City's budget and appropriation process.

(c) Fees may be charged to, or taxes may be levied annually against, businesses and/or commercial properties subject to any commercial district management authority in each commercial district to provide adequate revenues to pay for the budgeted costs of the district. Any taxes that may be levied, or fees that may be charged shall be collected and enforced in the same manner as City property taxes.

Sec. 22-63. Commercial District Fund.

The taxes or fees levied and collected with respect to properties located in a commercial district shall be deposited in a special account established for the commercial district. A separate account or "fund" shall be established for each commercial district.

Sec. 22-64 – 22-69. Reserved.

DIVISION 2. TOWN SQUARE COMMERCIAL DISTRICT

Sec. 22-70. Town Square Commercial District.

(a) Definitions.

(1) Streetscape means the visual appearance of the space on either side of the street, between the curb and face of the buildings, that defines its character.

(2) Streetscape amenities include such items as signs (but not traffic control signs) and other communication systems; containers for growing things; fountains and pools; irrigation systems; drinking fountains; functional and decorative lighting; outdoor seating and other street furniture; bike racks and lockers; shelters for pedestrians and persons using public transportation; non-standard paving; sidewalks; trees and other plantings; trash containers; works of art; and other items of a similar character and purpose within the Streetscape.

(3) Streetscape amenities maintenance means cleaning, painting, repairing, and/or rehabilitating public streetscape amenities, but does not include the total replacement of an amenity or substantial portion thereof, except for the replacement of trees and other plantings.

(4) Streetscape maintenance includes cleaning and clearing sidewalks, driveways, and other public areas; collecting trash; pest extermination; replacing light bulbs; providing utility service to the public streetscape amenities; caring for (including removal and/or replacement of) trees and other plantings; washing, and snow removal.

but does not include maintaining the streets or the curbs or replacing the sidewalk or any portion thereof.

(b) Town Square Commercial District created. There is hereby created a special taxing district to be known as the Town Square Commercial District. The Town Square Commercial District is a mixed use district including, but not limited to, significant businesses.

(c) Town Square Commercial District Management Authority. There is hereby created a Town Square Commercial District Management Authority comprised of members of the Mayor and Council, as it is constituted from time to time, for the Town Square Commercial District.

(d) Boundaries. The Town Square Commercial District consists of all land encompassed within the area bounded by Beall Avenue to the north, Hungerford Drive to the east, Middle Lane to the south, and North Washington Street to the west, as those roads are currently aligned or may be aligned in the future, except for all that land identified as ownership lots 16A and 16B, Parcel N 127, Block B, City Center.

(e) Purpose. The Town Square Commercial District is established for the following purposes:

(1) maintaining the streetscape and streetscape amenities within the District;

(2) promoting and programming public events and activities within the District;

(3) providing increased security or otherwise monitoring activities within the District to enhance the safety and security of persons and property in public areas;

(4) promoting the economic stability and growth of the District;

(5) providing for promotion and marketing and the provision of security, maintenance or amenities within the District.

(f) District obligations. As part of the preparation of the District's annual budget, the City Manager shall recommend, and the Mayor and Council, as the Town Square Commercial District Management Authority, shall approve, those specific amenities and services to be funded by the District.

(g) Taxes to be levied. The City is hereby authorized, beginning with the fiscal year 2008, to levy and cause to be collected annual fees or taxes against commercial property within the Town Square Commercial District.

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NOTE: [Brackets] indicate material deleted.  
Underlining indicates material added  
Asterisks \* \* \* indicate material unchanged by this ordinance.

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I hereby certify that the foregoing is a true and correct copy  
of an ordinance adopted by the Mayor and Council at its  
meeting of

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Claire F. Funkhouser, CMC, City Clerk