



Effective: June 9, 2020

AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 105 TAXATION, ARTICLE III. SPECIAL PUBLIC SAFETY TAXING DISTRICTS, §105-5 SPECIAL PUBLIC SAFETY TAXING DISTRICTS GENERALLY; DISTRICTS CREATED; APPLICABILITY, TO DELETE ADDRESSES FROM THE DESCRIPTION OF THE SPECIAL PUBLIC SAFETY TAXING DISTRICTS, TO CLARIFY THAT THE MULTIFAMILY SPECIAL PUBLIC SAFETY TAXING DISTRICT SHALL INCLUDE BOTH APARTMENTS AND CONDOMINIUMS, TO PROVIDE FOR WHEN THERE WOULD BE A ZERO TAX RATE FOR A SPECIAL PUBLIC SAFETY TAXING DISTRICT, AND OTHER NONSUBSTANTIVE CHANGES

WHEREAS, in 2006, in accordance with State law, the City Council of New Carrollton enacted legislation creating two special public safety taxing districts, which legislation is codified in the Code of the City of New Carrollton, Chapter 105 Taxation, Article III Special Public Safety Taxing Districts; and

WHEREAS, the two special public safety taxing districts (“SPSTD”) created were a commercial and industrial SPSTD and a multifamily rental SPSTD. The limits of each district are not only reflected on a map that was adopted when the districts were created but the addresses of the properties within the districts were subsequently listed in City Code, Section 105-5; and

WHEREAS, it has come to the City Council’s attention that infill development has occurred within the commercial and industrial special public safety taxing district that has not been assessed a special public safety taxing district tax because, although the property is located within the district depicted on the map reflecting the district, the property address is not listed in City Code, Sec. 105-5; and

WHEREAS, the City Council has determined that it is not necessary to list addresses of the properties in City Code, Sec. 105-5; and

WHEREAS, the City Council desires to clarify that condominiums are contained within the multifamily special public safety taxing district; and

WHEREAS, the City Council has determined that there may be fiscal years for which it is not necessary to impose a tax within a special public safety taxing district, yet no reason to

eradicate the district only to reestablish it at a later date. Therefore the City Council desires to provide for this option when establishing budgets for the districts; and

WHEREAS, the City Council has determined that it is in the best interest of the City of New Carrollton to enact the changes set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of New Carrollton that the Code of the City of New Carrollton, Chapter 105 Taxation, Article III. Special Public Safety Taxing Districts, § 105-5. Special public safety taxing districts generally; districts created; applicability, shall be and hereby is amended to read as follows:

§ 105-5. Special public safety taxing districts generally; districts created; applicability.

A. A special public safety taxing district is an area within the corporate limits of the City of New Carrollton, Maryland for which a district is created by City ordinance, pursuant to the authority contained in Md. Code Ann., Art. 23A, § 2 and § 44 or Md. Code Ann., Local Gov., § 21-401 et seq. for the purpose of financing the capital and operating costs to enhance police, fire protection, and rescue services, through an ad valorem tax levied on real and/or personal property located within the special district. Ad valorem taxes imposed under this Article shall be at a rate sufficient to provide annual revenues to pay the costs of operating and maintaining the activities funded thereby and shall be imposed in the same manner, on the same assessments, for the same period, and as of the same date of finality as required for municipal property tax purposes in the special taxing district.

B. Special **PUBLIC SAFETY** taxing districts created. The following are the special **PUBLIC SAFETY** taxing districts within the City of New Carrollton:

- (1) Commercial and/or industrial properties special public safety taxing district. By way of Ordinance No. 07-06 enacted December 20, 2006, the City created a special public safety taxing district for all properties used for commercial and/or industrial purposes, with the exception of home occupations, professional, and child-care enterprises, located within the corporate limits of the City of New Carrollton pursuant to Maryland Code Annotated, Article 23A, § 2 and § 44. The properties that comprise the commercial and/or industrial properties special public safety taxing district at the time of its inception and which continue to comprise the district are known as: [~~Parcel #1) 8500 Annapolis Road, New Carrollton, MD 20784; Parcel #2) 8454 Annapolis Road, New Carrollton, MD 20784; Parcel #3) 8614 Annapolis Road, New Carrollton, MD 20784; Parcel #4) 8511 Annapolis Road, New Carrollton, MD 20784; Parcel #5) Tax Id: 2744522, Annapolis Road,~~

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[**Boldfaced brackets**]: Boldfaced brackets enclose and denote language that is being deleted from the City Code, as shown by its interlineation.

~~New Carrollton, MD 20784; Parcel #6) 8201 Annapolis Road, New Carrollton, MD 20784; Parcel #7) 8309 Annapolis Road, New Carrollton, MD 20784; Parcel #8) 8301 Annapolis Road, New Carrollton, MD 20784; Parcel #9) Tax Id: 2193852, 85th Avenue, New Carrollton, MD 20784; Parcel #10) 8461 Annapolis Road, New Carrollton, MD 20784; Parcel #11) Tax Id: 2744530, Annapolis Road, New Carrollton, MD 20784; Parcel #12) 8308 Annapolis Road, New Carrollton, MD 20784; Parcel #13) 8320 Annapolis Road, New Carrollton, MD 20784; Parcel #14) Tax Id: 2182368 Riverdale Road, New Carrollton, MD 20784; Parcel #15) 7710 Riverdale Road, New Carrollton, MD 20784; Parcel #16) 7788 Riverdale Road, New Carrollton, MD 20784; Parcel #17) 8100 Annapolis Road, New Carrollton, MD 20784; Parcel #18) Tax Id: 2193878, Annapolis Road, New Carrollton, MD 20784; Parcel #19) 8401 Annapolis Road, New Carrollton, MD 20784, and are] **THOSE COMMERCIAL PROPERTIES LOCATED ON ANNAPOLIS ROAD, 85TH AVENUE AND RIVERDALE ROAD IN THE CITY OF NEW CARROLLTON THAT ARE** depicted on the map attached to Ordinance No. 14-08, which map has been maintained by the City since the inception of the district and shall continue to be kept on file with the City Administrative Officer and shall be available for public inspection during City business hours.~~

- (2) Multifamily [~~rental properties~~] special public safety taxing district. By way of Ordinance No. 12-05, adopted September 5, 2012, the City established a special public safety taxing district to include all multifamily [~~apartment~~] complexes located within the corporate limits of the City of New Carrollton pursuant to Maryland Code Annotated, Article 23A, § 2 and § 44. The properties that comprised the multifamily [~~rental properties~~] special public safety taxing district at the time of its inception and which continue to comprise the district are **COMMONLY** known as: [~~Parcel #1) 5309 85th Ave, New Carrollton, MD 20784; Parcel #2) 7711 Riverdale Road, New Carrollton, MD 20784; Parcel #3) 7823 Riverdale Road, New Carrollton, MD 20784; Parcel #4) 7855 Riverdale Road, New Carrollton, MD 20784; Parcel #5) 7601 Fontainebleau Drive, New Carrollton, MD 2078; Parcel #6) 7600 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #7) 7605 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #8) 7617 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #9) 7615 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #10) 7613 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #11) 7611 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #12) 7609 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #13) 7607 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #14) 7501 Fontainebleau Drive, New Carrollton, MD 20784; Parcel #15) 5516 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #16)~~

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~~Tax Id: 2266609, Riverdale Road, New Carrollton, MD 20784; Parcel #17) 5548 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #18) 5544 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #19) 5532 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #20) 5540 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #21) 5534 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #22) 5530 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #23) 5536 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #24) 5538 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #25) 5542 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #26) 5504 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #27) 5502 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #28) 5501 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #29) 5546 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #30) 5500 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #31) 7701 Arhart Drive, New Carrollton, MD 20784; Parcel #32) 7700 Arhart Drive, New Carrollton, MD 20784; Parcel #33) 5503 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #34) 5507 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #35) 5505 Karen Elaine Drive, New Carrollton, MD 20784; Parcel #36) 5400 85th Avenue, New Carrollton, MD 20784; Parcel #37) 5402 85th Avenue, New Carrollton, MD 20784; Parcel #38) 5404 85th Avenue, New Carrollton, MD 20784; Parcel #39) 5406 85th Avenue, New Carrollton, MD 20784; Parcel #40) 5408 85th Avenue, New Carrollton, MD 20784; Parcel #41) 5410 85th Avenue, New Carrollton, MD 20784; Parcel #42) 5306 85th Avenue, New Carrollton, MD 20784; Parcel #43) 5289 85th Avenue, New Carrollton, MD 20784; Parcel #44) 8614 Annapolis Road, New Carrollton, MD 20784; Parcel #45) 8615 Annapolis Road, New Carrollton, MD 20784;~~ **HERITAGE SQUARE APARTMENTS, HILLTOP APARTMENTS, FOUNTAIN CLUB, FRENCHMAN'S CREEK CONDOMINIUMS, CARROLLAN GARDENS CONDOMINIUMS AND THAT PORTION OF CARROLLON MANOR APARTMENTS THAT IS LOCATED IN THE CITY OF NEW CARROLLTON** and are depicted on the map attached to Ordinance No. ~~[14-08]20-__~~, which map~~[has been]~~ **IS** maintained by the City ~~[since the inception of the district]~~ and ~~[shall continue to be]~~ kept on file with the City Administrative Officer and shall be available for public inspection during City business hours.

- C. Budget and appropriation. The Council shall adopt annual budgets for the **SPECIAL PUBLIC SAFETY TAXING** districts which shall include the costs of financing the capital and operating costs to enhance police~~], fire protection, and rescue]~~ services **THAT THE CITY**

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COUNCIL DEEMS APPROPRIATE FOR ANY GIVEN FISCAL YEAR; and shall include paying the principal and interest on obligations incurred for the district(S) as they become due, the costs of operating and maintaining district facilities, the cost of administrative, professional or support services provided by the City, and any other item of cost which may reasonably be attributed to the district. Funds for the districts shall be budgeted and appropriated in the same manner as for the City generally and may be done concurrently with **OR AS PART OF** the City's budget and appropriation process. As provided in the ordinance establishing the district's annual budget, an ad valorem tax shall be levied annually on all the real and/or personal property in the district at a rate sufficient to provide adequate revenues to pay for the budgeted costs of the district. **IF THE CITY COUNCIL DEEMS THAT A SPECIAL TAXING DISTRICT ASSESSMENT IS NOT REQUIRED FOR A SPECIAL TAXING DISTRICT IN ANY GIVEN FISCAL YEAR, THE CITY COUNCIL SHALL SO STATE, SHALL OF ESTABLISH A TAX RATE \$0.00 FOR THE SPECIAL TAXING DISTRICT(S) FOR THAT FISCAL YEAR AND SHALL NOT BE REQUIRED TO ADOPT A BUDGET THEREFOR.** ~~{The}~~ANY tax **LEVIED HEREUNDER** shall be levied in the same manner, upon the same assessments, and for the same periods, and shall be collected and enforced as other City taxes. The budget for the districts shall establish the annual tax rate, **EXCEPT AS HEREINABOVE PROVIDED.**

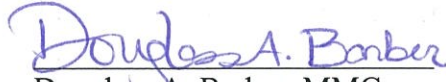
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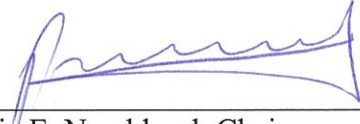
INTRODUCED BY THE CITY COUNCIL OF NEW CARROLLTON ON THE 15th DAY OF APRIL, 2020.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF NEW CARROLLTON ON THE 20th DAY OF MAY, 2020.

Attest:


Douglass A. Barber, MMC
City Clerk

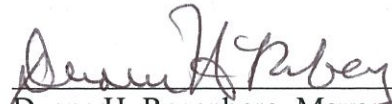
City of New Carrollton



Phelecia E. Nembhard, Chair
City Council

Date: May 20, 2020

Approved:



Duane H. Rosenberg, Mayor

Date: May 20, 2020

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