

Introduced by: Councilmember Schultz

First Reading: May 9, 2011
Second Reading: May 23, 2011
Effective Date: May 23, 2011

**CITY OF TAKOMA PARK, MARYLAND
ORDINANCE NO. 2011-17**

(Amending the *Takoma Park Code* to extend Chapter 8.36 Commercial Management Districts and Authorities until June 30, 2014 and to amend certain sections governing license fees and other operational matters.)

WHEREAS, *Takoma Park Code Chapter 8.36* Commercial Management Districts and Authorities is to be repealed effective January 1, 2012; and

WHEREAS, the Takoma/Langley Crossroads Development Authority (the “CDA”), established under the provisions of *Takoma Park Code Chapter 8.36*, believes that the continued operation of the CDA is in the best interests of the business community it represents; and

WHEREAS, the CDA has requested the powers granted to the organization by the City be extended for a period of 30 months; and

WHEREAS, the Council supports the continuation of the CDA and its ongoing operation as a Commercial Management District within the Takoma Langley Crossroads commercial district through June 30, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND.

SECTION 1. Title 8, Business, Chapter 8.36 Commercial Management Districts and Authorities, of the *Takoma Park Code* is amended as follows:

Chapter 8.36. Commercial Management Districts and Authorities

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8.36.110 License fees.

- A. The annual license fee shall be based on the nature of the business and the number of square feet used in the business.
- B. Exempt businesses do not pay any fees.
- C. Enumeration of Fees.

1. The fees shall be as follows:

License Category	License Fee	Maximum Fee
Retail	\$0.20 sq/ft	\$3,500.00
Professional	\$0.10 sq/ft	\$3,500.00
Hotel/Motel/Theater	\$0.0667 sq/ft	\$3,500.00

Property Owner	\$0.05 sq/ft	\$3,500.00
Warehouse	\$0.00 sq/ft	

2. If a business falls in more than one license fee category, it shall be charged a license fee for each category in which the business falls.

D. Effective on July 1st of each year, beginning with July 1, 2011, all license fees may be increased by an amount equal the percentage increase in the Consumer Price Index-All Urban Consumers all items, Washington-Baltimore from March in the preceding year to March in the current year. The CPI shall be the CPI published as of March in each year. If there is no increase in the CPI-U, then the license fee shall remain the same.

~~D.E.~~ At the request of the Board, the City shall collect license fees on behalf of the Authority, as its agent. Unpaid license fees shall be assessed an additional late payment fee of 25% of the fee per month or any portion of a month. The City may charge the Authority for the expenses incurred in collecting fees and for the costs and attorney’s fees incurred by the City in connection with enforcement of the license requirement through the issuance and prosecution of municipal infraction citations. The Authority, by vote of its Board, is empowered to institute suit to collect unpaid fees, late payment fees, plus all reasonable legal fees and costs incurred in this collection of unpaid fees.

8.36.120 Meetings.

- A. The Board shall meet at least ~~once a month~~quarterly. The Authority shall meet at least ~~twice~~once a year.
- B. All meetings shall be open to the public, except for executive sessions as provided for in the bylaws.

8.36.130 Expiration.

Unless extended by an ordinance adopted by the Council, Sections 8.36.010 through 8.36.120 will no longer have any effect and are repealed effective ~~January 1, 2012~~June 30, 2014.

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SECTION 2. This Ordinance shall be effective immediately upon adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS 23RD DAY OF MAY, 2011, BY ROLL-CALL VOTE AS FOLLOWS:

AYE: Williams, Wright, Clay, Robinson, Seamens, Snipper, Schultz
NAY: None
ABSENT: None
ABSTAIN: None