

Introduced by: Councilmember Seamens

First Reading: January 28, 2013

Second Reading: February 11, 2013

Effective Date: February 12, 2013

**CITY OF TAKOMA PARK, MARYLAND  
ORDINANCE NO. 2013-3**

**AMENDING TAKOMA PARK CODE, CHAPTER 5.08, SECTION 6.08.010  
DESCRIPTION OF WARD BOUNDARIES**

WHEREAS, changes in Takoma Park's population as documented by the 2010 Census necessitate a reconfiguration of the boundaries of the City's six wards for purposes of ensuring that they be as nearly equal in population as is practical and apportioned consistently with the principle of one person/one vote; and

WHEREAS, in 2010, the documented population of the City was 16,715; and

WHEREAS, the population of the City was 17,299 according to the Census conducted in 2000; and

WHEREAS, the apparent reduction in population from 2000 to 2010 is partially the result of certain multifamily buildings which were fully or partially vacant on the day of the 2010 Census; and

WHEREAS, the City Council determined that the temporary impact of the vacant buildings on the City's population and the ideal ward size would result in the need for more significant changes in the ward boundaries than would otherwise be necessary; and

WHEREAS, to mitigate the consequences of these temporarily vacant units on redistricting, certain assumptions have been made regarding buildings which were fully or partially vacant on Census Day in 2010; and

WHEREAS, for purposes of the current redistricting, population has been estimated for buildings or complexes that had ten or more vacant units on Census Day, were actively being renovated on Census Day, and were either occupied or in the process of being occupied at the time of redistricting; and

WHEREAS, two buildings met this criteria to have their populations estimated for purposes of redistricting: 7610 Maple Avenue and 7333 New Hampshire Avenue; and

WHEREAS, for these buildings, the citywide vacancy rate was applied and population was estimated for units that were vacant on Census Day but were either rented or purchased by May 31, 2012; and

WHEREAS, after the citywide vacancy rate was applied and the population was estimated for eligible vacant units in the qualifying buildings, the City's population was estimated to be 17,015 and the ideal ward size for redistricting purposes was 2,836; and

WHEREAS, the City Council reviewed three redistricting proposals presented by the Redistricting Task Force and a fourth proposal prepared by two members of the Council; and

WHEREAS, after careful consideration of all the options, the Council selected the fourth proposal to put forward to residents for public comment; and

WHEREAS, the redistricting proposal was published in the January 2013 issue of the *Takoma Park Newsletter* along with an advertisement for a public hearing; and

WHEREAS, a public hearing to receive testimony on the proposal was held on January 14, 2013; and

WHEREAS, the City Council has determined that the fourth option as published in the *Takoma Park Newsletter* should be adopted; and

WHEREAS, in the event that temporarily vacant buildings or complexes occur on Census Day in the future, the Council wishes to ensure that the same method for determining "qualifying buildings or complexes" and "eligible vacant units" is utilized to estimate the City's population for the purpose of redistricting.

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

SECTION 1. Title 5 Elections, Chapter 5.08 Wards, Section 5.08.010 Description of ward boundaries shall be amended as follows:

5.08.010 Description of ward boundaries.

A. The City is divided into six wards for purposes of City elections. Each ward shall be compact in form and composed of adjoining territory. The populations of the wards shall be substantially equal.

B. The boundary lines of the six wards shall be as they are shown on the map and accompanying street directory designated "~~2003~~2013 District Plan and Street Directory," dated December 3, 2012~~May 21, 2003~~, incorporated herein, on file and available for inspection in the office of the City Clerk.

SECTION 2. Once this Ordinance is adopted, the City Council reserves the right to provide a detailed written description in elaboration of the attached map and street directory, and this description shall become a part of this ordinance.

SECTION 3. Corrections or revisions may be made to the 2013 District Plan and Street Directory after adoption of this Ordinance providing that such changes have no impact on the boundaries of the six wards. A corrected 2013 District Plan and Street Directory showing the date of the original document and the date that such corrections or revisions were made to the document shall be filed with the record of this Ordinance.

SECTION 4. In the event that temporarily vacant or partially vacant buildings or complexes impact the population count in a Census, the following means may be used to determine whether and how to estimate the population in those buildings or complexes.

To identify buildings or complexes where it is appropriate to estimate a population for the purpose of redistricting, the following definition shall be used:

A “qualifying building or complex” is an existing building or complex that had ten or more vacant units on Census Day, was actively being renovated on Census Day, and was either occupied or in the process of being occupied at the time of redistricting.

“Eligible vacant units” are those units in a qualifying building or complex that were vacant on Census Day, but were either rented or purchased by a certain date as determined by the City Council before the City Council amends or affirms the City’s ward boundaries following the Census.

Because all buildings have some vacancies from time to time, a vacancy rate equal to the Census-reported citywide vacancy rate shall be applied to the qualifying building or complex and then the remaining number of “eligible vacant units” shall have the Census-reported persons per household rate applied to them that is appropriate for the type of building (single family or multifamily).

SECTION 5. The Council determines that for this redistricting action the date for establishing eligible vacant units is May 31, 2012.

SECTION 6. This Ordinance shall be effective immediately ~~in effect for the City Election on November 5, 2013 and thereafter.~~

This Ordinance was adopted this 11th day of February, 2013 by roll-call vote as follows:

AYE: Williams, Grimes, Male, Schultz, Seamens, Smith    ABSENT: Daniels-Cohen  
NAY: None    ABSTAIN: None

*Note: Page 3, Section 6, was amended at second reading to make the ordinance effective immediately.*