

ORDINANCE: 2007-01-01

MOTION: Fricks

SECOND: Wachsteter

VOTE: Unanimously in Favor

SUBJECT: BID Managing Commission

DATE: January 2, 2007

2007-1-1

Adopted 1-2-2007

AN ORDINANCE TO AMEND THE BUSINESS IMPROVEMENT DISTRICT WITHIN THE CITY OF ROME, GEORGIA; TO PROVIDE FOR THE CREATION OF A COMMISSION TO MANAGE THE DISTRICT; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.

**SECTION I:**

**BE IT ORDAINED** by the Rome City Commission, and it is ordained by authority of same, that Chapter 11, Article XII, Section 701 (c) of the Code of the City of Rome, Georgia be amended by adding a new part (ix), which shall read as follows:

**Sec. 11-701. Creation of Business Improvement District; Adoption of District Plan; Amendments.**

(c) The District Plan may be amended from time to time by the City Commission by adopting an official amendment to this ordinance. The District Plan must set forth, at a minimum, the following:

- (i) The Business Improvement District Map
- (ii) A description of the boundaries of the District
- (iii) The maximum millage rate, if any, to be levied in the District
- (iv) The proposed time for implementation and completion of the District Plan
- (v) Design and rehabilitation standards, if any, to be applied to buildings and structures within the District
- (vi) The maximum surcharge, if any, to be levied on existing businesses and occupations within the District
- (vii) The supplemental services to be provided within the District
- (viii) Any other rules and regulations applicable to the District
- (ix) The method of management of the District.

**SECTION II:**

**BE IT FURTHER ORDAINED** that the District Plan adopted in Section 11-701 of the Rome City Code be amended by striking the provision entitled "MANAGEMENT ORGANIZATION" and by adding the following provisions in lieu thereof:

**MANAGEMENT OF DISTRICT**

**NAME**

The Business Improvement District shall be managed by an agency known as the Downtown Business Improvement District Commission ("Commission"), which shall be governed by a Board of Directors ("Board").

### MEMBERSHIP

The following persons or entities shall be entitled to designate one representative to be a member of the District.

(1) The owner or owners of each parcel of real property located in the District that is not exempt from the special assessment levied pursuant to the Business Improvement District Act.

(2) The owner or owners of each business located in the District that is not exempt from the special assessment levied pursuant to the Business Improvement District Act.

(3) The owner or owners of each parcel of real property located in the District that is exempt from the special assessment levied pursuant to the Business Improvement District Act but who voluntarily pay such special assessment.

(4) The owner or owners of each Business located in the District that is exempt from the special assessment levied pursuant to the Business Improvement District Act but who voluntarily pay such special assessment.

### BOARD OF DIRECTORS

A Board of Directors shall manage the property, business and affairs of the Commission. The Board shall adopt By-Laws for the Commission. The Board of Directors shall consist of ten (10) members.

The Directors shall be chosen as follows:

(1) Two (2) directors shall be elected owners of real property located within the District or their designees. Property owners must be owners of record of real property in the District, and shall be an individual or the written designee of a partnership, corporation, limited liability company, or other legal entity which owns real property located within the District. A person shall no longer be eligible to serve as a director when the person or the entity he or she represents ceases to be an owner of record within the District.

(2) Two (2) directors shall be elected owners of businesses located within the District or their designees. A business owner is defined as an individual, sole proprietorship, partnership, corporation, limited liability company, or other legal entity which has an office, either leased or owned, within the District. A person shall no longer be eligible to serve as a director when the person or the entity he or she represents ceases to operate a business within the District.

(3) One (1) director shall be a member of the Rome City Commission who serves on the Downtown Development Authority.

(4) One (1) director shall be a member of the City of Rome Finance Department, who shall be appointed by the City Manager, and who shall be non-voting.

(5) Four (4) directors shall be members of the Downtown Development Authority Board of Directors and shall be selected by such Board. Such directors must qualify for membership in the District as set forth above.

### ELECTION

In September of each year notices shall be mailed to each member of the District. The notice shall state the qualifications and duties of a director, and shall include a brief application which must be returned within fourteen (14) days, if such member desires to be considered for a position as a director. Ballots containing a list of members qualified to hold office as a director and a brief biography of each such member shall be mailed to members within thirty (30) days for the return deadline. The members shall cast their votes on said ballots for the appropriate number of directors to be elected. Signed ballots will be returned within seven (7) days for computation of the results. In the case of a tie, the selection shall be made by the remaining directors of the Board.

### TERMS

The initial term of office for directors who are property owners shall be three (3) years and shall be two (2) years for each following term. The term of office for business owners shall be two (2) years. Directors appointed by the Mayor and the City Manager shall be appointed annually. Directors from the Downtown Development Authority shall serve terms consistent with their terms on the Authority.

### SECTION III:

**BE IT FURTHER ORDAINED** that all ordinances, or parts of ordinances, in conflict herewith be, and the same are, hereby repealed.