

**ORDINANCE NO. 2005-9**  
**SERVICE DISTRICT FOR**  
**COUNTY MILE SUBDIVISION**  
**(SUNNY ROAD AREA)**  
**OF**  
**WYTHE COUNTY VIRGINIA**

A public hearing was held on March 22, 2005 at 9:05 a.m. in the Board Room of the County Administrator's Office, 340 South 6th Street, Wytheville, Virginia to consider adopting Ordinance Number 2005-9, entitled, "Service District for County Mile Subdivision (Sunny Road Area)", as follows:

**Section 1 – Created**

Pursuant to the provisions of Sections 15.2-2401 through 15.2-2403, Code of Virginia (1950) as amended, a service district is hereby designated and created for County Mile Subdivision (Sunny Road area), and the purpose of the district is set forth in Section 3 of this ordinance.

**Section 2 - Boundaries Defined**

- A. The boundaries of the service district for County Mile Subdivision (Sunny Road area) shall be defined to include Lots 10, 11 and 19 through 49 inclusive as shown in Plat Book 6 Page 17 in the Clerk's Office of the Wythe County Circuit Court.
- B. Reference to plat books and lot numbers set out in Paragraph A of this section are based upon plats recorded in the Clerk's Office of the Wythe County, Virginia Circuit Court. The above described areas are fully shown on the attached County Mile Subdivision (Sunny Road area) Service District Map", dated February 23, 2005, which is a part of the ordinance and is available for inspection in the Office of the County Administrator, 340 South 6<sup>th</sup> Street, Wytheville, Virginia.
- C. Public utility facilities in or above the public right-of-way, such as poles, lights, wire, cable, conduit and piping shall not be included within this service district or subject to the tax imposed by this ordinance.

### **Section 3 - Purpose of Tax**

- A. Taxes collected pursuant to this division shall be levied for and used to provide additional governmental services not being offered uniformly throughout the county, including, but not limited to, for transportation improvements within this service district and those public purposes enumerated in Section 15.2-2403, Code of Virginia (1950), as amended. Costs of collecting, accounting, interest incurred and administering the tax provided for by this ordinance shall be a charge against revenues derived from such tax.
- B. Taxes collected pursuant to this division shall be segregated so as to enable the same to be expended only in the above described service district that raised the funds. The Wythe County Treasurer shall provide to the County Administrator a report on December 31<sup>st</sup> of each year showing the amounts collected. The County Administrator shall prepare a report detailing the annual expenditures and revenue received.
- C. The expected benefit of this ordinance is to upgrade and pave approximately 0.80 miles of in County Mile Subdivision. The plan to accomplish this expected benefit is to use the funds generated by this ordinance along with the VDOT Revenue Sharing Program to pave the road and place the road into the VDOT road system, thus eliminating the requirement of maintenance and snow removal by the residents.

### **Section 4 - Additional Tax Imposed**

To provide for additional governmental services not being offered uniformly throughout the county, there is hereby levied an initial, additional tax Eighty Six Cents (\$0.86) for every one hundred dollars (\$100.00) of assessed value of real property and improvements located in the County Mile Subdivision (Sunny Road area) Service District, and this tax will exist for a period of seven years or until the actual cost as allowed in Section 3A and the residents share of the construction cost of \$302,000 is repaid. Valuation and assessment of real property, timing with respect to valuation, assessment and payment, penalties and interest on delinquencies, abatement in the event a building is raised, destroyed or damaged or in the case of a natural disaster, assessment of new construction and all other procedures for and details of administration and collection of the tax imposed by this ordinance shall be the same as provided for by the Code of Virginia and the ordinance of Wythe County for real estate taxes generally. The tax levy shall be adjusted based on the reassessment values for calendar year 2007.

**Section 5 - Other Powers and Duties**

The county shall have all those powers and duties with respect to a service district set forth in Section 15.2-2403, Code of Virginia (1950), as amended, including the power to contract with any person, firm, corporation, or state agency to provide additional governmental services in this district.

**Section 6 - Effective Date**

This ordinance shall be effective on and after September 27, 2005 with the initial tax period commencing for calendar year 2005.

**Section 7 - Ordinance Approval**

Supervisor Eaton made a motion to approve this ordinance. The motion was seconded by Supervisor Hagee and the roll call vote is as follows:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
Susan R. Crigger	X		
Anne B. Crockett-Stark	X		
Charles S. Dix	X		
Lisa R. Eaton	X		
James E. Hagee	X		
Danny C. McDaniel	X		
Wythe B. Sharitz	X		

I certify that this is a true and correct copy taken from the September 27, 2005 minutes of the Wythe County Board of Supervisors meeting.

  
R. Cellell Dalton, Clerk

