

**ORDINANCE NO. 2009-3**

**SERVICE DISTRICT FOR HIDDEN VALLEY AREA OF  
WYTHE COUNTY VIRGINIA**

A public hearing was held on June 9, 2009 at 7:05 p.m. in the Board Room of the Wythe County Administration Building, 340 South Fourth Street, Wytheville, Virginia to consider enacting Ordinance Number 2009-3, entitled, "Service District for Hidden Valley Area of Wythe County," 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 the Hidden Valley 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 Hidden Valley shall be defined to include the following tax parcels:

12-1-2	12-1-12	12-1-23	12-1-19C	12-1-21G
12-1-3	12-1-13	12-1-24	12-1-19D	12-1-21H
12-1-4	12-1-14	12-1-25	12-1-19E	12-17A
12-1-5	12-1-15	12-1-26	12-1-19F	12-2A
12-1-6	12-1-16	12-1-27	12-1-19H	12-1-21D
12-1-7-	12-1-17	12-1-28	12-5-3	12-5-1
12-1-8	12-1-18	12-1-29	12-5-2	12-3-A
12-1-9	12-1-19	12-1-30	12-1-21A	12-3-B
12-1-10	12-1-20	12-1-19A	12-1-21B	12-3-C
12-1-11	12-1-22	12-1-19B	12-1-21C	12-3-D

- B. The above described areas are fully shown on a map entitled "Hidden Valley Transportation Service District", copies which are available for inspection in the Office of the County Administrator, 340 South Sixth 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.

- D. Parcels created through subdivision of any of the above listed parcels shall be included within this service district.

### **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> and June 30<sup>th</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 surface treat approximately .75 mile of Hidden Valley Road. The plan to accomplish this expected benefit is to use the funds generated by this ordinance along with the VDOT Revenue Sharing Program to surface treat 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 tax of \$400 per landowner in this service district. This tax is applicable to each landowner only in the service district irrespective of the number of parcels owned. This tax will exist for a period of seven (7) years or until the actual cost as allowed in Section 3A and the total project construction cost (including relocation of utility lines) is repaid. The estimated project cost attributable to this district is \$85,370.

All 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 ordinances of Wythe County for real estate taxes generally. The tax levy shall be adjusted based on actual project cost and tax revenue received.

**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 July 1, 2009, with the initial tax period commencing for calendar year 2009.

**Section 7 - Ordinance Approval**

Supervisor Martha P. Umberger made a motion to approve this ordinance. The motion was seconded by Supervisor Danny C. McDaniel and the roll call vote is as follows:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
Charles S. Dix	X		
B. G. Horney, Jr.		X	
James E. Hagee	X		
Margaret O. Poole	X		
Wythe B. Sharitz	X		
Danny C. McDaniel	X		
Martha P. Umberger	X		

I certify that this is a true and correct copy taken from the June 9, 2009 minutes of the Wythe County Board of Supervisors meeting.

  
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R. Cellel Dalton, Clerk