

ORDINANCE NO. 2023-0X

**TRANSPORTATION SERVICE DISTRICT FOR
BENTWOOD DRIVE OF WYTHE COUNTY, VIRGINIA**

A public hearing was held March 14, 2023 in the Board Room of the Wythe County Administration Building, 340 South Fourth Street, Wytheville, Virginia to consider enacting Ordinance **Number 2023-0X**, entitled, "Transportation Service District for Bentwood Drive 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 the Bentwood Drive 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 Bentwood Drive shall be defined to include the following tax parcels:

58-8-501	58-8-502	58-8-503	58-8-504	58-8-505
58-8-506	58-8-507	58-8-508	58-8-509	58-8-510
58-8-511	58-8-512	58-8-513	58-8-514	58-8-518
58-9-28	58-9-30			

- B. The above-described area is fully shown on a map entitled "Bentwood Drive 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, 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 and June 30 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 0.8 mile of Bentwood Drive from the intersection with public right of way at Virginia Primary Route 605/Dunford Road to the end. 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 annual tax of \$768.00 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 be in force for a period of ten (10) 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 \$129,908.

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 April 1, 2023, with the initial tax period commencing for calendar year 2023.

Section 7 - Ordinance Approval

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

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
Jesse R. Burnett			
Rolland R. Cook			
B.G. Horney, Jr.			
Ryan M. Lawson			
James D. Smith			
Stacy A. Terry			
Brian W. Vaught			

I certify that this is a true and correct copy taken from the March 14, 2023 minutes of the Wythe County Board of Supervisors meeting.

Martha G. Collins, Clerk