

reordained by adding thereto a new Chapter 35-3 to read as follows:

CHAPTER 35.3
NEIGHBORHOOD DREDGING SPECIAL SERVICE DISTRICTS

Section 35.3-1. Creation of Neighborhood Dredging Special Service Districts.

This chapter shall provide for the establishment of Neighborhood Dredging Special Service Districts, hereinafter "Neighborhood Dredging SSD" or "Service District," pursuant to the authority contained in the Code of Virginia, section 15.2.2400, et seq.

Section 35.3-2. Facilities and services to be provided within Neighborhood Dredging Special Service Districts.

Each Neighborhood Dredging SSD is created for the purpose of providing financing for any dredging of creeks and rivers to maintain existing uses within the Service District. Toward that end, there shall be provided within the Service District financing for all expenses for those facilities and services necessary or desirable to accomplish the purpose of the Service District, including, without limitation, administrative, engineering, legal, permitting, and any other professional services, dredging, grading and hauling facilities and equipment and such other equipment, mitigation costs, if any, and facilities, including real property acquisition, as may, from time to time, be needed to accomplish the purpose of the service districts.

Section 35.3-3. Proposed plan for providing funding for facilities and services within the Neighborhood Dredging Special Service Districts.

- a. Each Neighborhood Dredging SSD project shall have three types or levels of dredging: city spur channel dredging; neighborhood channel dredging; and property access channel dredging.
- b. The city spur channel dredging is supported by City funds.
- c. The neighborhood channel dredging is supported by revenue generated by the Service District taxes as provided herein.
- d. The property access channel dredging is supported by individual contributions paid from Service District property owners for purposes of funding those services set forth in section 35.3-2.

Section 35.3-4. Benefits expected to be realized from the provision of facilities and services within the Neighborhood Dredging Special Service Districts.

Through the provision of the facilities and services described in section 35.3-2, an attempt will be made to dredge certain creeks and rivers to maintain existing uses. The facilities and services to be provided are expected to benefit owners of property within the service districts, as well as residents and visitors, through preservation and enlargement of the navigable waters of the city, enhance and improve storm water capacity and water quality, protect and maintain public recreation areas and public

97 infrastructure and, thereby, protecting life, property and property values within the
98 special service districts.

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100 **Section 35.3-5. Levy of additional taxes to pay, either in whole or part, the**
101 **expenses and charges for providing additional services with the Neighborhood**
102 **Dredging Special Service Districts.**

103
104 Pursuant to the authority contained in Code of Virginia, section 15.2-2403(6),
105 within each Neighborhood Dredging SSD, the city council may levy and provide for the
106 collection of additional taxes to fund the city's obligations to pay, either in whole or part,
107 the expenses and charges for providing and maintaining facilities and services within
108 the Service Districts. Such additional taxes may include an annual tax upon any
109 property in the service district which is subject to local taxation.

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111 **Section 35.3-6. Limitation on purposes for which additional taxes levied and**
112 **collected within the Neighborhood Dredging Special Service Districts may be**
113 **used.**

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115 All taxes levied and collected, and any property access channel contribution,
116 pursuant to this chapter within a Neighborhood Dredging SSD shall only be used to pay,
117 either in whole or part, the expenses and charges for providing and maintaining facilities
118 and services within the Service District. No additional tax shall be levied for or used to
119 pay for schools, police or general government services not authorized by Code of
120 Virginia, section 15.2-2403. The proceeds from all such additional taxes as may be
121 levied and collected shall be a special fund and shall be so segregated as to enable the
122 same to be expended within the service districts. Any property access channel
123 contribution shall be separately accounted within the Service District Fund or Capital
124 Improvement Program, whichever applies.

125
126 **Section 35.3-7. Creation of the Old Donation Creek Area Dredging Special**
127 **Services District.**

- 128
129 a. There is hereby created the Old Donation Creek Area Dredging Special Service
130 District for the purposes set forth in this chapter and those set forth in Code of
131 Virginia, section 15.2-2403.
132 b. The boundaries of the Old Donation Creek Area Dredging Special Service
133 District shall be described in detail by the map attached to this ordinance.
134 c. The Old Donation Creek Area Dredging Special Service District shall dissolve on
135 July 1, 2028, if not sooner.

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137 2. There shall be levied and collected for the portion of fiscal year 2012, prorated
138 from the effective date of this ordinance to the close of the fiscal year, taxes for the
139 special purpose of providing neighborhood dredging on all real estate within and
140 pursuant to the Old Donation Creek Area Dredging Special Service District at the rate of
141 18.4 cents (\$0.184) on each on hundred dollars (\$100) of assessed value thereof. This
142 real estate tax rate shall be in addition to the real estate tax rate set forth by the General
143 Real Estate Tax Levy adopted by City Council on the 10th of May, 2011. This tax rate
144 shall apply to any properties subject to ad valorem taxes including those properties