



Town of Berwyn Heights

5700 Berwyn Road
Berwyn Heights, MD 20740
Tel. (301) 474-5000
Fax (301) 474-5002

MAYOR
Jodie Kulpa-Eddy

COUNCIL MEMBERS
Christopher Brittan-Powell (Mayor Pro Tem)
Shinita Hemby
Faustino Menjivar
Jason W. Papanikolas

ORDINANCE 188 – FY 2024 PUBLIC SAFETY TAXING DISTRICT BUDGET

FOR the purposes of adopting the Public Safety Taxing District Budget for Fiscal Year 2024, to be collected by and transferred from the General Fund to be appropriated for the expenditures for Fiscal Year 2024; defraying public safety expenses and liabilities of the Town of Berwyn Heights and levying same for the purposes specified; and establishing real estate and personal property tax rates for Fiscal Year 2024, beginning July 1, 2023, and ending June 30, 2024, inclusive, and specifying a rate of interest and penalty to be charged upon overdue-property taxes.

WHEREAS, the Public Safety Taxing District (PSTD), created under the authority granted by the State of Maryland to finance public safety projects, systems, facilities, programs, or activities of special benefit to the district, through an ad valorem tax levied on real and/or personal property, encompasses the commercial and industrial properties within the Commercial District Management Authority Commercial District as defined in Ordinance 123.

WHEREAS, the PSTD provides the Berwyn Heights Police Department with resources to finance capital and operating costs for a police officer to strengthen public safety in the commercial district. This additional officer augments existing policing and community outreach efforts within the PSTD.

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2024 PSTD budget was presented and discussed at the April 26, 2023 and May 10, 2023 Council meetings, and

WHEREAS, pursuant to Section 604 of the Town of Berwyn Heights Charter, properly advertised public hearings on the Fiscal Year 2024 PSTD Budget were held on April 12, 2023 and May 10, 2023; and

WHEREAS, pursuant to Section 602 of the Berwyn Heights Town Charter, the Fiscal Year 2024 PSTD Budget was made available to Town residents prior to and at the Town Meetings on April 26, 2023 and May 10, 2023; and

NOW, THEREFORE:

SECTION 1. BE IT ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following budget, as approved by Council for the PSTD, is hereby adopted at the indicated funding level for the Town of Berwyn Heights, Maryland for Fiscal Year 2024, beginning July 1, 2023, and ending June 30, 2024, inclusive; and

SECTION 2. PSTD:

A. AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following revenues are, in the considered judgment of the Town Council, a fair appraisal and estimate of the revenues available to finance this budget and these appropriations for the fiscal year beginning July 1, 2023 and ending June 30, 2024, inclusive:

<u>Source</u>	<u>Estimated Revenues</u>
Real Estate Taxes	\$70,295
Personal Property Taxes	<u>30,500</u>
TOTAL PSTD FUND REVENUE:	\$100,795

B. AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that the following sums and amounts shall be and hereby are appropriated for the fiscal year beginning July 1, 2023 and ending June 30, 2024, inclusive, the said revenues being transferred from the General Fund to be used to finance public safety projects, systems, facilities, programs, or activities Public Safety Police Department Fund:

<u>Account Name</u>	<u>Approved Budget, Appropriation Transfer</u>
General Fund General Government Budget:	\$96,115
General Fund: Capital Projects Fund Balance & Reserve:	<u>4,680</u>
TOTAL PSTD APPROPRIATION:	\$100,795

SECTION 3. RATE OF TAXATION ON REAL PROPERTY:

BE IT ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a tax rate of thirteen cents (\$0.13) on each one hundred dollars (\$100) of assessable property in the Town of Berwyn Heights be and the same is hereby imposed on all assessable property for the fiscal year beginning July 1, 2023, and ending June 30, 2024, inclusive, to be collected pursuant to the provisions contained in Section 604 of the Charter of the Town of Berwyn Heights and all other provisions pertaining to tax levies in said Charter, the said tax rate of (\$0.13) on each one hundred dollars (\$100) shall be transferred from the General Fund to finance public safety projects, systems, facilities, programs or activities of special benefit to the district; and

SECTION 4. RATE OF TAXATION ON PERSONAL PROPERTY:

BE IT FURTHER ESTABLISHED AND ORDAINED BY THE BERWYN HEIGHTS TOWN COUNCIL that a tax rate of fifteen cents (\$0.15) on each one hundred dollars (\$100) of assessable personal property in the Town of Berwyn Heights be and the same is hereby imposed on all assessable property for the fiscal year beginning July 1, 2023 and ending June 30, 2024, inclusive, to be collected pursuant to the provisions contained in Section 604 of the Charter of the Town of Berwyn Heights and all other provisions pertaining to tax levies in said Charter, the said tax rate of fifteen cents (\$0.15) on each one hundred dollars (\$100) shall be shall be transferred from the General Fund to finance public safety projects, systems, facilities, programs or activities of special benefit to the district; and

SECTION 5. BE IT FURTHER ORDAINED that the taxes levied by this Ordinance remaining unpaid on October 1, 2025 shall be overdue, and from and after that date shall bear interest, to be collected with said taxes, at the rate of two-thirds of one percent for each month or fraction of a month and a penalty of thirty dollars for each month or fraction of each month until paid. The Town may place a lien on the personal property and on the real property of the owners of the personal property to collect unpaid personal property tax and any applicable penalty and interest.

NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Berwyn Heights does hereby adopt this budget with a supporting real property tax rate of thirteen cents (\$0.13) per one hundred dollars (\$100) of assessed valuation of real property and fifteen cents (\$0.15) per one hundred dollars (\$100) of assessed valuation of personal property for FY 2023 beginning July 1, 2023, and ending June 30, 2024, inclusive

BE IT FURTHER ORDAINED that if any sections or provisions in this Ordinance shall be adjudicated to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of this Ordinance as a whole or any other section or provision or part thereof.

AND BE IT FURTHER ORDAINED by the Mayor and Town Council of the Town of Berwyn Heights, Maryland that this Ordinance shall become effective on the 1st day of June 2023, after having been read at two successive Town Meetings on April 26, 2023 and May 10, 2023, pursuant to the Berwyn Heights Charter, Section 311, unless within twenty (20) days after its passage a Referendum Petition is filed with the Town Manager. If such a Petition is filed, this Ordinance shall be held in abeyance pending the outcome of a special election.

By the Order of Mayor and Town Council

Jodie Kulpa-Eddy
Mayor, Town of Berwyn Heights

ATTEST:

Melanie Friesen, Town Clerk

Date

Adopted:

Effective: