

RESOLUTION NO. 2006-12

**A RESOLUTION ESTABLISHING AND CREATING THE DUNN
MUNICIPAL SERVICE DISTRICT IN DOWNTOWN DUNN,
NORTH CAROLINA**

WHEREAS, Chapter 160A, Article 23 of the North Carolina General Statutes, entitled Municipal Service Districts, authorizes cities and towns within North Carolina, and therefore the City of Dunn, to define service districts to finance, provide, or maintain for such districts one or more services, facilities, or functions in addition to or to a greater extent than those financed, provided or maintained for the entire city; and,

WHEREAS, said statutes further provide that the city may define a service district for the purpose of downtown revitalization projects which shall include, but not limited to, improvements to water mains, sanitary sewer mains, storm sewer mains, electric power distribution lines, gas mains, street lighting, streets, and sidewalks, including right-of-way and easement therefore, the construction of pedestrian malls, bicycle paths overhead pedestrian walkways, sidewalk canopies, and parking facilities, both on-street and off-street, and other improvements

intended to relieve congestion in the central city, improve pedestrian and vehicular access thereto, reduce the incidents of crime therein, and generally to further the public health, welfare, safety and convenience by promoting the economic health of the central city or downtown area; and,

WHEREAS, in addition a downtown revitalization project may, in order to revitalize a downtown area and further the public health, safety, welfare, and convenience, include the provision of city services or functions in addition to or to a greater extent than those provided or maintained for the entire city; and,

WHEREAS, a downtown revitalization project may also include promotion and development activities (such as sponsoring festivals and markets in the downtown area, promoting business investment in the downtown area, helping to coordinate public and private action in the downtown area, and developing and issuing publication on the downtown area) designed to improve the economic well-being of the downtown area and further the public health, safety, welfare, and convenience; and,

WHEREAS, acting in response to a need for action in order to encourage redevelopment and enhance existing development in the central business district by the establishment of the municipal service district as described herein the City Council of the City of Dunn has determined that the creation of a municipal service district in the downtown area of the city will be for the benefit of the entire community and will result in the rejuvenation of the central business district and core of the city; and,

WHEREAS, the City Council further finds that the proposed district is in need of downtown revitalization by way of projects and programs to the standards

of G.S. 160A-537(a) to a demonstrably greater extent than the remainder of the city to accommodate efforts to provide services, facilities, functions, or promotional and developmental activities to improve the economic well-being of the downtown areas the commercial hub of the city and its strategic location and position of imperative importance to the economy and commerce of Dunn; and,

WHEREAS, pursuant to such determinations and in accordance with applicable provision of the General Statutes, the City Council has defined such a district, and does determine, as a fact, that the proposed district is in need of one or more of the services, facilities, or functions listed in G.S. 160A-536 to a demonstrably greater extent than the remainder of the city; and,

WHEREAS, a map of the proposed district showing its proposed boundaries – a copy of which is attached hereto and incorporated by reference – a statement showing that the proposed district meets the standards set out in G.S. 160A-357(a), and a plan for providing in the district one or more of the services listed in G.S. 160A-536 has been created; all of which has been available and plan to have been incorporated into a report which has been available for public inspection in the office of the City Clerk for four (4) weeks prior to the public hearing on the matter of the establishment of the service district; and,

WHEREAS, the City Council of the City of Dunn has caused a notice of such hearing to be duly published in The Daily Record, a newspaper having general circulation in Dunn and Harnett County, said hearing having been conducted on June 26, 2006, and the City Clerk has certified to City Council that the mailing of notice of hearing has been completed, all in conformity to G.S. 160A-537(c);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNN, NORTH CAROLINA that the City of Dunn has fully complied with each and every requirement of Chapter 160A, Article 23 or the North Carolina General Statutes and determines and finds same as a fact; and,

BE IT FUTURE RESOLVED that the Dunn Municipal Service District is hereby established and created in accordance with the following description: Contained within Elm Avenue to the east, Layton Avenue to the west, Harnett Street to the north, and Divine Street to the south and being the same property as shown within the boundaries set forth on that certain map attached hereto as Exhibit "A" and incorporated herein by reference, to which reference is made for a more complete and accurate description of the boundaries of the Dunn Municipal Service District.

BE IT FURTHER RESOLVED that the property tax to be levied within the Dunn Municipal Service District shall be established at a rate of twelve cents (\$0.12) on each one hundred dollars (\$100.00) value of property subject to taxation located within the service district, excluding personal property of public service corporations, which levy shall be in excess of and in addition to the rate charged for tax by the municipality in other areas of the city, including the municipal service district; and,

BE IT FURTHER RESOLVED that the creation of the Dunn Municipal Service District, and the ad valorem tax levied therein, shall become effective July 1, 2006 and shall continue until June 30, 2013, at which time it shall expire, unless, the City Council at that time shall extend the ad valorem tax within the Dunn

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Municipal Service District by following applicable statutes, regulations and laws then in effect.

Adopted and Approved this 26TH day of June, 2006.

J. Dal Snipes
Mayor

Attest:
