

Bill NO. 11-04

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 116 OF THE MUNICIPAL CODE OF THE CITY OF NORMANDY, MISSOURI, RELATING TO THE REAL PROPERTY TAX INCREMENT COMMISSION**

**WHEREAS**, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

**WHEREAS**, the City Council created a Tax Increment Financing Commission of the City of Normandy, Missouri (the "Commission"); and

**WHEREAS**, certain revisions are necessary to Chapter 116 to comply with recent changes in State Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI, AS FOLLOWS:**

**Section 1.** Chapter 116.030 of the Municipal Code of the City of Normandy, Missouri, is hereby amended to read as follows:

**SECTION 116.030 AUTHORITY**

- A. The TIF Commission shall serve as an advisory body to the City as it relates to the consideration of tax increment financing proposals submitted by interested parties or initiated by any public agency in accordance with the Act. The TIF Commission shall hold public hearings and give notice pursuant to Section 99.825 and 99.830 of the Act on proposed redevelopment plans, redevelopment projects and designation of redevelopment areas and amendments thereto. The TIF Commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas and amendments thereto within thirty (30) days following completion of a hearing on any such plan, project, designation or amendment and shall make recommendations to the City within ninety (90) days of a hearing

referred to in Section 99.825 of the Act concerning adoption of or amendment to redevelopment plans, redevelopment projects and/or designation of redevelopment areas.

- B. Any commission created under subsection 3 of this section shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as determined by counsel to the city, town or village creating the commission and request by the applicable city, town or village for a public hearing, fix a time and place for the public hearing referred to in section 99.825. The public hearing shall be held no later than seventy-five days from the commission's receipt of such redevelopment plan and request for public hearing. The commission shall vote and make recommendations to the governing body of the city, town or village requesting the public hearing on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. If the commission fails to vote within thirty days following the completion of the public hearing referred to in section 99.825 concerning the proposed redevelopment plan, redevelopment project or designation of redevelopment area, or amendments thereto, such plan, project, designation or amendment thereto shall be deemed rejected by the commission.

**Section 2.** Chapter 116.050 of the Municipal Code of the City of Normandy, Missouri, is hereby amended to read as follows:

#### **SECTION 116.050 MEMBERSHIP**

The TIF Commission shall be composed of twelve (12) persons of which six (6) shall be County appointees and six (6) shall be other appointees. Regardless of class, each member of the TIF Commission shall have one (1) vote on all matters properly before it and shall participate in all deliberations of the TIF Commission without differentiation.

**Section 2.** Chapter 116.060 of the Municipal Code of the City of Normandy, Missouri, is hereby amended to read as follows:

#### **SECTION 116.060 APPOINTMENT OF MEMBERS**

- A. The City may nominate members by the Mayor with the consent and approval of the City Council. Any vacancies shall be filled for the unexpired terms in the same manner as were the original appointments. Appointees shall be appointed in accordance with the Act when a redevelopment area, redevelopment plan or redevelopment project is proposed to be established or amended or at such earlier date as the city shall invite other affected taxing jurisdictions to do so. Six (6) of the other appointees shall be appointed by the County Executive in accord with Section 99.820.3(1)(a) of the Act, as amended. Three (3) members shall be appointed by the cities, towns or villages in the county which have tax increment financing districts in the manner in which the chief elected officials of such cities, towns or villages agree in accord with Section 99.820.3(1)(b) of the Act, as amended. Two (2) of the other appointees shall be appointed by the school boards of the school districts in the County in accord with Section 99.820.3(1)(c) of the Act, as amended; such members shall be appointed in any manner agreed upon by such school districts. One (1) other appointee shall be appointed in accord with Section 99.820.3(1)(d) of the Act, as amended, in any manner agreed to by the other affected taxing jurisdictions levying ad valorem taxes within the contemplated redevelopment area included in a redevelopment plan.
- B. Members appointed to the commission created under this subsection, except those six members appointed by either the county executive, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission. The six members appointed by the county executive shall serve on all such commissions until replaced.
- C. In the event the appropriate appointing authority, affected school district(s) or other affected taxing jurisdictions shall fail to appoint other appointees within thirty (3) days of receipt of written notice that the City has convened a TIF Commission or within thirty (30) days of expiration of a member's term, the remaining appointees may proceed to exercise the power of the TIF Commission.

**Section 3.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid,

the remaining sections shall remain valid, unless the court finds that: (i) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (ii) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

**PASSED BY THE CITY COUNCIL FOR THE CITY OF NORMANDY, MISSOURI, THIS \_\_\_\_\_ DAY OF FEBRUARY, 2011.**

\_\_\_\_\_  
**Presiding Officer**

Attest:

\_\_\_\_\_  
City Clerk

**APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.**

\_\_\_\_\_  
**Mayor**

Attest:

\_\_\_\_\_  
City Clerk