

IN THE COUNCIL OF THE TOWN OF ROCKY MOUNT

AN ORDINANCE of the Town of Rocky Mount providing for the benefits available to qualified arts and culture organizations located in the arts and culture district established under the provisions of this ordinance, the Arts and Culture District Ordinance, and § 15.2-1129.1 of the Code of Virginia (1950), as amended.

BE IT ORDAINED by the Council of the Town of Rocky Mount that an ordinance entitled "**ARTS AND CULTURE DISTRICT BENEFITS**" is adopted and enacted to read and provide as follows:

1. Qualified arts and culture organizations shall be entitled to an annual rebate of a percentage of all gross receipts taxes, including business, professional and occupational license taxes, meals taxes, and any other tax which is based on the gross receipts of the organization, paid to the Town by the organization for up to three consecutive calendar years. Year one is the calendar year in which the organization becomes qualified. In year one, the rebate is 50 percent. In year two, the rebate is 30 percent. In year three, the rebate is 20 percent. The organization shall establish its qualifications for the benefits on an annual basis. If an organization ceases to be a qualified organization during a year in which rebates apply, they shall be prorated for the months the organization was qualified.

2. Qualified arts and culture organizations shall be entitled to the full rebate if the real property on which the organization is located is owned by the organization. If the organization does not own the real property, the organization shall be entitled to four-fifths of the rebate and the real property owner shall be entitled to one-fifth of the rebate, at least half of which must be used for real property improvements to the property from which the funds were generated, paid on a reimbursement basis after improvements are complete and with proof of expenditures.

3. An owner of real property shall be entitled to an annual rebate of real property taxes imposed on real property on which the qualified organization is located for up to five consecutive calendar years. Year one is the calendar year in which the organization becomes qualified. If the real property ceases to house a qualified organization during a year in which rebates apply, the rebate shall be prorated for the months the organization was located on the property.

4. The administrator may waive fees for zoning actions or utility connections for a qualified organization.

5. The administrator may authorize live performance incentive grants to a qualified organization, provided funds are appropriated by Town Council for this purpose.

6. The procedures shall be determined by the administrator and approved by the finance director. No benefit application shall be approved until the finance director makes a determination that no other unpaid taxes are due and outstanding.

7. Failure of the organization or owner to pay in full by the due date any taxes imposed by the town shall result in the loss of the rebate for the current year upon a finding by the administrator that the delinquency is significant. The town reserves the right to withdraw qualified organization status for any organization that fails to comply with any town ordinance, regulation, or other legal requirement.

This ordinance is effective immediately.

Adopted this 10th day of January, 2011, ~~2010~~

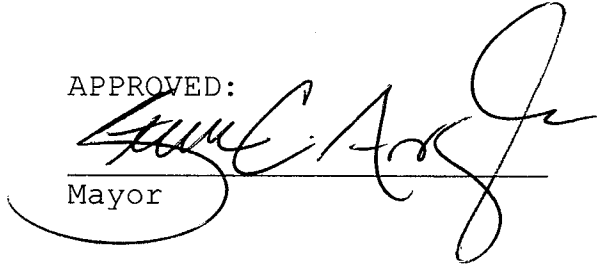
Ayes: Vice Mayor Gregory B. Walker and Council Members Bobby M. Cundiff,
Jerry W. Greer, Sr., P. Ann Love, Robert L. Moyer, Robert W. Strickler

Nays: (none)

Present: Mayor Steven C. Angle

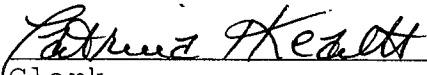
Absent: (none)

APPROVED:



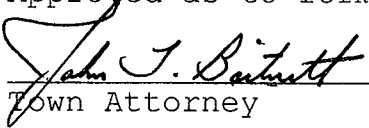
Mayor

ATTEST:



Clerk

Approved as to form:



Town Attorney