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LEANN H KILTS, WEBER COUNTY RECORDER
20-JUL-16 9:34 AM FEE \$0.00 DEP TN
REC FOR: OGDEN CITY

ORDINANCE NO. 2016-36

AN ORDINANCE OF OGDEN CITY PROVIDING FOR THE CREATION OF A NEW SPECIAL ASSESSMENT AREA DESIGNATED THE OGDEN CENTRAL BUSINESS ASSESSMENT AREA NO. 3; PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE JULY 5, 2016; AND DIRECTING THE CITY RECORDER TO RECORD A CERTIFIED COPY OF THIS ORDINANCE IN THE WEBER COUNTY RECORDER'S OFFICE WITHIN 15 DAYS AFTER ADOPTION

WHEREAS, the Ogden City Council has determined that the City of Ogden has benefitted from the multiple economic promotion activities held in the downtown area and that said activities have benefitted the city as a whole in branding and promoting the assets and the offerings of the city to people who live both inside and outside city boundaries as well as to companies and other economic investment groups outside the local region and nationwide who are interested in bringing their business to the city; and

WHEREAS, the Ogden City Council also acknowledges that certain businesses located in the downtown business district enjoy a close proximity to the downtown economic promotion activities and benefit from being in the downtown business district overall; and

WHEREAS, the Ogden City Council has determined that the Ogden Central Business Assessment Area No. 3 be created, as required by statute, and be named the Ogden Central Business Assessment Area No. 3, (the "CBAA") and that assessments should be levied on all nonexempt commercial and industrial parcels within the CBAA in accordance with Utah State law.

The Council of Ogden City hereby ordains:

SECTION 1. History and Purpose:

- A. The Assessment Area Act (Utah Code Annotated §11-42, et. seq.,) authorizes municipalities to create special assessment areas for "economic promotion activities".
- B. The Ogden City Council has created special assessment areas within the Central Business District in the past in order to promote economic activities in downtown Ogden City.
- C. It is the purpose and intent of this ordinance to establish a new special assessment area which is the precursor city action to levying an assessment on each qualified parcel within the CBAA.

SECTION 2. Creation of Special Assessment Area: The Ogden City Council hereby creates and designates a new downtown special assessment area for the funding of economic promotion activities entitled the Ogden Central Business Assessment Area No. 3. The Ogden City Council further verifies that the boundaries of the CBAA shall be: (1) Northern Boundary: properties fronting on the south bank of the Ogden River and extending to the east to properties located on the east side of a continued straight line of Adams Avenue to the point of its intersection with Park Boulevard and extending to the west to properties fronting on the west side of Wall Avenue; (2) Southern Boundary: properties fronting on the south side of 28th Street

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and extending to the intersections of properties fronting on the east side of Adams Avenue, on the east, and to properties fronting on the west side of Wall Avenue, to the west; (3) Eastern Boundary: properties fronting on the east side of Adams Avenue, including properties fronting on the east side of a continued straight line of Adams Avenue to the point of its intersection with Park Boulevard, and extending to the south to the intersection of properties fronting on the south of 28th Street; (4) Western Boundary: properties fronting on the west side of Wall Avenue between the south side of the Ogden River, to the north, and properties fronting on the south side of 28th Street, on the south; and that the boundaries of the Enhanced Event Activity Zone shall be: properties fronting on the south side of 22nd Street to properties fronting on the north side of 26th Street, and properties fronting on the east side of Washington Boulevard to properties fronting on the west side of Wall Ave.

SECTION 3. Duration of Special Assessment Area: The CBAA created under this ordinance shall last for three (3) years from the effective date of this ordinance, July 5, 2016. This special assessment area shall therefore terminate on July 4, 2018.

SECTION 4. Determination of Costs: All costs and expenses for economic promotion activities to be financed by assessments on property within the area have been estimated and included in the CBAA's budget.

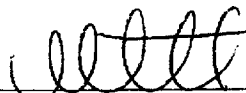
SECTION 5. Effect of Special Assessment Area Creation: All nonexempt commercial or industrial properties within the boundaries of the CBAA will be subject to an assessment as determined and established by Ogden City ordinance.

SECTION 6. Adequate Protest Period: The City Council confirms that all proper protocol and procedure were followed in granting property owners the time necessary, as required by Utah State Code Ann. §11-42-203, to file protests in response to this ordinance. The Council further verifies that protests that were filed did not meet the adequate protest minimum standards required by law to prohibit adoption of this ordinance.

SECTION 7. All Necessary Action Approved: The officials of the city are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this chapter and to record a certified copy of this ordinance in the office of the Weber County Recorder within 15 days after adoption.

SECTION 8. Effective Date: This ordinance shall become effective on July 5, 2016.

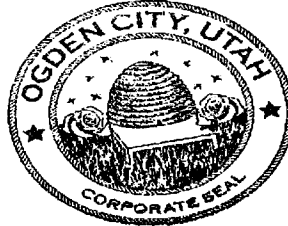
PASSED, ADOPTED AND ORDERED POSTED by the Council of Ogden City, Utah this 5th day of July, 2016.



CHAIR

ATTEST:

Tracy Hansen
CITY RECORDER



TRANSMITTED TO THE MAYOR ON: 07-06-2016

MAYOR'S ACTION: Approved Vetoed

[Signature]
MAYOR

ATTEST:

Tracy Hansen
CITY RECORDER

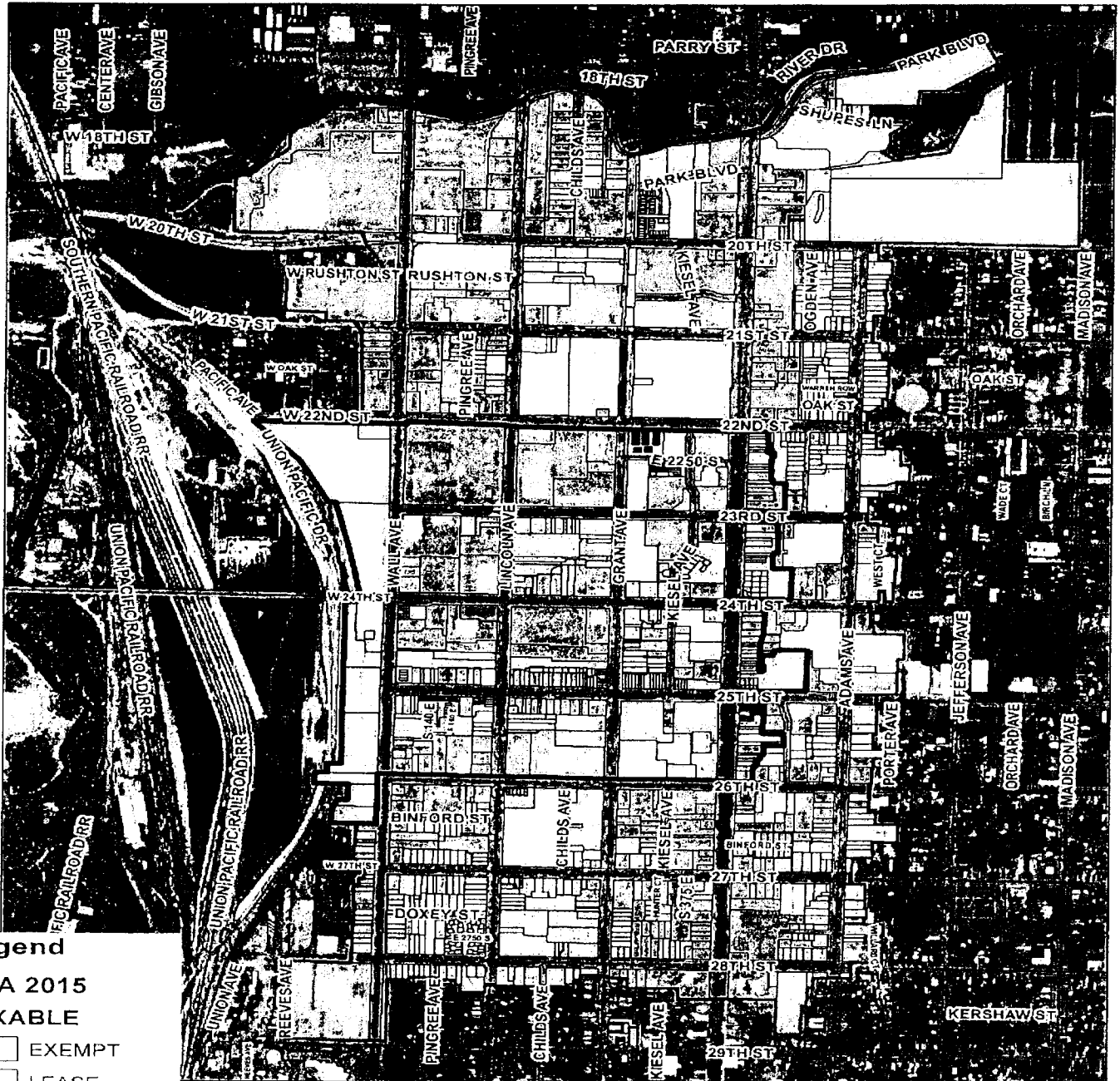


POSTING DATE: 07-08-2016

EFFECTIVE DATE: 07-05-2016

APPROVED AS TO FORM: MS 6/27/16
Legal Date

Ogden City Central Business Improvement District #3



Legend

SAA 2015

TAXABLE

- EXEMPT
- LEASE
- NEW PARCEL
- RESIDENTIAL
- COMMERCIAL

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**\$303,709,062 in Taxable Properties
Enhanced Event Activity Area**