

Bill No. 14-03
Concerning: Police - Takoma Park
Substation - Rebate
Revised: 4-25-03 Draft No. 2
Introduced: April 29, 2003
Enacted: June 17, 2003
Executive: June 26, 2003
Effective: September 25, 2003
Sunset Date: None
Ch. 11, Laws of Mont. Co. 2003

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN ACT to:

- (1) adjust the tax rate used to calculate a certain payment to the City of Takoma Park for providing police protection;
- (2) repeal certain obsolete provisions of law relating to County police services in Takoma Park; and
- (3) update language, make stylistic changes, and generally amend the law regarding County police services in Takoma Park.

By amending

Montgomery County Code
Chapter 35, Police
Section 35-5

By repealing

Chapter 35, Police
Section 35-6

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 35-5 is amended and Section 35-6 is repealed as follows:**

2 **35-5. [Same-] Takoma Park [substation-Generally] Rebate.**

3 (a) If the County and the City of Takoma Park agree that the substation
4 [now] located in the City [of Takoma Park] is [ordered] abolished, [and]
5 the County [ceases to] does not provide police protection [within] in the
6 [limits of such] City, and [such] the City [undertakes to provide and
7 does provide] provides its own citywide police protection [throughout
8 its entire corporate limits], the Director of Finance [of the county shall]
9 must, during each fiscal year that [such arrangement is maintained and
10 continued] this agreement is in effect, pay to the City treasurer [of the
11 City of Takoma Park], in quarterly installments, that portion of the
12 [proceeds of] revenue from the County tax levied on each [one hundred
13 dollars (\$100.00)] \$100 of [the] assessable:

- 14 (1) [real and] personal property [within the corporate limits of] in the
15 City [of Takoma Park in the county] which is [yielded] produced
16 by [twelve] 12 cents [(\$0.12)] of the tax rate levied on [such]
17 personal property; and
18 (2) real property in the City which is produced by 4.8 cents of the tax
19 rate levied on real property.

20 (b) [provided, that if such arrangement is established, or subsequently
21 disestablished,] If any agreement referred to in subsection (a) is
22 terminated or modified after [the commencement of] a fiscal year
23 begins, the amount [to be] paid [hereunder shall] under it must be
24 prorated according to the number of days in [such] that fiscal year that
25 [such arrangement is or] the agreement has been [maintained and
26 continued;] in effect.

27 (c) [and, provided further, that nothing] Nothing in this Section [shall be
.8 construed so as to impair] limits the jurisdiction of the County police
29 [within the corporate limits of] in the City of Takoma Park [in the
30 county].

31 **[35-6. Same-Same-Abolished.] Reserved**

32 [The substation of the Montgomery County Police located at 500 Maple
33 Avenue, Takoma Park, Maryland, is hereby abolished.

34 The director of finance of the county shall, during each fiscal year that the
35 substation shall remain abolished and the county ceases to provide police protection
36 within the City of Takoma Park and such city undertakes to provide and does provide
37 its own police protection throughout its entire corporate limits, pay to the treasurer of
38 the City of Takoma Park, in quarterly installments, that portion of the proceeds of the
39 county tax levied on each one hundred dollars (\$100.00) of the assessable real and
40 personal property within the corporate limits of the city in the county, which is
41 yielded by twelve cents (\$0.12) of the tax rate levied on such property.]

42 *Approved:*

43 Michael L. Subin 6/18/03
Michael L. Subin, President, County Council Date

44 *Approved:*

45 Douglas M. Duncan 6/26/03
Douglas M. Duncan, County Executive Date

46 *This is a correct copy of Council action.*

47 Mary A. Edgar 6/27/03
Mary A. Edgar, CMC, Clerk of the Council Date