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

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Section 35-5 is amended and Section 35-6 is repealed as follows:

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

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

(1) [real and] personal property [within the corporate limits of] in the
City [of Takoma Park in the county] which is [yielded] produced
by [twelve] 12 cents (($0.12)) of the tax rate levied on [such]
personal property; and

(2) real property in the City which is produced by 4.8 cents of the tax
rate levied on real property.

(b) [provided, that if such arrangement is established, or subsequently
disestablished.] If any agreement referred to in subsection (a) is
terminated or modified after [the commencement of] a fiscal year
begins, the amount [to be] paid [hereunder shall] under it must be
prorated according to the number of days in [such] that fiscal year that
[such arrangement is or] the agreement has been [maintained and
continued;] in effect.
[and, provided further, that nothing] Nothing in this Section [shall be construed so as to impair] limits the jurisdiction of the County police [within the corporate limits of] in the City of Takoma Park [in the county].

35-6. Same-Same-Abolished. Reserved

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

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

Approved:

Michael L. Subin, President, County Council

Douglas M. Duncan, County Executive

This is a correct copy of Council action.