

BUSINESS IMPROVEMENT DISTRICTS

C.R.S. Sections 31-25-1201 through 1228. BIDs are organized for the benefit of commercial properties only. Residential and agricultural properties may not be taxed or otherwise assessed by a BID.

A. Permitted Improvements.

BIDs are allowed to acquire, construct, finance, install, and operate improvements, including streets, sidewalks, curbs, gutters, pedestrian malls, streetlights, utilities, drainage facilities, landscaping, decorative structures, statuaries, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, rest rooms, information booths, public meeting facilities, and all necessary appurtenances.

B. Powers.

1. Funding.

- a. To borrow money, incur indebtedness and issue negotiable bonds upon a vote of electors in the BID.
- b. To fix rates, tolls, or charges for any services or improvements furnished by the district. Such revenue may be pledged to pay district bonds.
- c. To levy and collect ad valorem taxes on and against all taxable commercial property within the boundaries of the district.

2. Operation. No BID may issue bonds, levy taxes, fees, or assessments or provide improvements or services unless City Council has approved an operating plan and budget for the BID for the year identifying the services or improvements to be provided, the taxes, fees, or assessments to be imposed by the district, and the estimated principal amount of bonds to be issued by the district, if any. The budget and operating plan must be submitted each year by September 30th.

3. Services. A BID has unique service powers intended to benefit the commercial nature of the district including:

- a. Consulting with respect to planning or managing development activities;
- b. Maintenance of improvements;
- c. Promotion or marketing of district activity;
- d. Organization, promotion, marketing, and management of public events;
- e. Activities in support of business recruitment, management, and development;
- f. Security for businesses and public areas located within the district;
- g. Snow removal or refuse collection; and
- h. Providing design assistance.

C. Formation.

1. An organizational petition shall be signed by persons who own real or personal property in the service area of the district having an assessed value of not less than 50% of the assessed value of all real and personal property in the district, and who own at least 50% of the acreage in the district as filed in the City Clerk and City Council offices.

2. City Council approves the petition by ordinance, organizing the BID.

3. The BID is governed either by a board of directors of not fewer than five electors appointed by City Council or by the mayor if so designated by City Council. The Board members serve at the pleasure of the City for terms provided for by ordinance.

D. Existing Business Improvement Districts. See the attached list.

E. City Council's Role.

1. Formation. City Council approves the formation of the BID.

2. Governance. If provided for by ordinance, City Council approves appointments to the BID Board of Directors for terms set forth in the ordinance.

3. Annual Requirements.

a. City Council may require supplemental information but must approve or disapprove the BID's annual operating plan and budget by December 5th.

b. City Council has the duty to levy the taxes certified by the BID by December 31st of each year.