MUNICIPAL HOME RULE PILOT PROGRAM

City of Martinsburg

2015 PROGRESS REPORT West Virginia State Code §8-1-5a (m) provides:

"Commencing December 1, 2015, and each year thereafter, each participating municipality shall give a progress report to the Municipal Home Rule Board and commencing January 1, 2016, and each year thereafter, the Municipal Home Rule Board shall give a summary report of all the participating municipalities to the Joint Committee on Government and Finance."

The Municipal Home Rule Board has developed this standard format for Pilot Program participating municipalities to prepare and submit their respective Annual Progress Reports. The intent of this standard format is to gather and compile information in a consistent, easily understood, and efficient manner that will be used to develop a concise and practical summary report to the Joint Committee on Government and Finance.

Annual Progress Reports must be submitted electronically as an individual file in PDF format no later than the close of business on December 1, 2015 by emailing Debbie Browning at <u>debbie.a.browning@wv.gov</u>, West Virginia Development Office, West Virginia Home Rule Pilot Program, State Capitol Complex, Building 6, Room 553, Charleston, West Virginia 25305-0311, 304-558-2234.

A. General Information	
Name of Municipality: City of Martinsburg	
Certifying Official: George Karos Title	e: Mayor
Contact Person: , 'Mark S. Baldwin Title	e: City Manager
Address: 232 N. Queen Street.	
City, State, Zip: Martinsburg, W 25401	
Telephone Number: 304-264-2131, Ext. 277 Fax	Number: 304-264-2137
E-Mail Address: markbaldwin17@aol.com	
2010 Census Population: 17,227	
B. Municipal Classification	
🗆 Class I 🛛 Class II 🔤 Class III	Class IV
C. Pilot Program Entry Phase	
Phase I (2007 Legislation) 🛛 🕅 Phase II (2014 Leg	gislation)
D. Attest	
I hereby confirm that I am the authorized official for this submitted herein and attached hereto is true and accu every initiative included in the original Home Rule Pilot and any subsequent amendments, if applicable.	rate and that this report addresses each and
George Karos Scond	Karos 12/1/15

Type Name of Certifying Official

Signature of Certifying Official

Date

Initiative: violations a	o immediately issue citation and common nuisances		Ord. No. 2014-20
	essed (check all that apply)		
🕅 Organization	XXI Administration	Personnel	Other
Was this non-tax initiati	ve a part of your original plar	application 🕼 or	a plan amendment 🗆
Has the ordinance(s) ne	eded to implement this initia	tive been enacted?	Yes 🗆 No
If yes, when was the ord	linance enacted? 12/18/	'14	
If no, please describe ch N/A	allenges faced in enacting the	e related ordinance(s)	
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•	ation of this initiative and any	a brief narrative highligh metrics used to track pe	-
through the implement	ation of this initiative and any		-
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LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

See attached information.

#1. INITIATIVE: Grant of Authority to Martinsburg City Code Enforcement Officials to Immediately Issue Citations for External Sanitation Violations and Common Nuisances

Since the enactment of Ordinance 2014-20 effective December 18, 2014, the City of Martinsburg took actions to inform the public about the City's authority to issue citations for exterior sanitation violations and common nuisances. Flyers were provided to the public, identifying common violations. News articles appeared in the local newspaper, specifically addressing the City's ability for citations. After legal training of code enforcement personnel and internal coordination with city departments and Municipal Court staff was satisfactorily completed, the citation program began July 1, 2015.

Code Enforcement Citation	n Program – 7/1/1	5 to 11/24/15
CODE ENFORCEMENT BY TYPE		
Total Code Enforcement Cases	302	
Warnings Issued	195	65%
Citations Issued	43	14%
Notices of Violation	64	21%
COMPLIANCE		
Compliance After Warning	131	67%
Compliance After Citation	17	40%
APPEALS		
Appeals Heard	1	
Dismissed Citations	0	
CITATIONS PAID		
Citations Paid (#)	11	26%
Citations Paid (\$)	\$1,100	

SUCCESSES

Martinsburg is now able to utilize citations as another means of code enforcement to abate exterior sanitation violations and common nuisances, and enables the City to legally go onto properties to abate violations. Warnings and citations were able to address 62 percent of violations in a shorter period of time than standard Notices of Violation (NOV). The citation process has withstood legal challenges presented in municipal court.

LESSONS LEARNED

More unsuccessful warnings must become citations, and the City of Martinsburg should dedicate more of its resources to address unpaid citations. The numbers of citations represent an inherently a larger percentage of problem properties, as shown by the lower rate of compliance. This may aid the City in identifying which properties to further evaluate for being a chronic nuisance.

	o file liens on real property nitation and commom nuisance		in abating Ord. No. 2014-21
	essed (check all that apply)		
💭 Organization	K Administration	Personnel	Other
Was this non-tax initiati	ve a part of your original plan a	pplication 🕼 or	a plan amendment 🗆?
Has the ordinance(s) ne	eded to implement this initiativ	ve been enacted?	🖾 Yes 🛛 No
If yes, when was the ord	inance enacted? 12/18/	'14	
If no, please describe ch N/A	allenges faced in enacting the	related ordinance(s)	
-	ace below, please provide a ation of this initiative and any n	-	
See attached inf	ormation.		

LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

See attached information.

#2.

INITIATIVE: Authority to File Liens on Real Property for Costs Incurred In Abating Exterior Sanitation and Common Nuisance Violations

Since the enactment of Ordinance 2014-21 effective December 18, 2014, the City of Martinsburg took actions as authorized to abate exterior sanitation and common nuisance violations.

Liens Filed – 12/18/14 to 11/24/15						
LIENS						
Liens Prepared	28					
Liens Recorded	24					
COSTS & REIMBURSEMENTS						
Total Value of Liens	\$7,239.45					
Number of Liens Paid-Off	1	나라 전체 - 이 지 - 이				
Value of Liens Paid-Off	\$331.25					

SUCCESSES

Martinsburg is now able to directly file liens when a property owner fails to timely reimburse the City for abating exterior sanitation violations and common nuisances that were not corrected by the property owner. This process is easier to follow and complete during periods of high code enforcement activity, and can largely be done by current City staff with minimal assistance from legal counsel.

LESSONS LEARNED

The City of Martinsburg will be able to abate eligible violations and bill the property owner for costs incurred. As a result of this, there will be more liens to record and monitor. This should result in an increase in the number of liens paid-off, which will reduce the City's unpaid burden for correcting eligible violations.

#3.

Initiative:		n of City Property		tion - Ord. Na.	2014-22	
Category of	Issues Add	essed (check all that	at apply)			
🕅 Organ	ization	X Administr	ation	Personn	el	Other
Was this no	n-tax initiat	ive a part of your o	riginal plan app	olication 🕅	or a pla	n amendment
Has the ord	inance(s) ne	eded to implement	t this initiative	been enacted?	X🖾 Yes	🗆 No
If yes, when	was the or	dinance enacted?	12/18/14			
If no, please	describe cl	allenges faced in e	nacting the rel	ated ordinance	(s)	
N/A						
	_ In the cr	ace below, please		iof parrativo hi	ablighting	
	-	ation of this initiativ	-			
when e	conomic dev	utilized this init elopment opportuni	ties are pres			
City fo	or the bett	erment of our com	unity.			
	N.					
		he space below, pl of this revenue initia	-			-
N/A					manepan	
N/A						

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Initiative:	Entry into contracts with other jurisdictions by resolution Ord. No. 2014-2	23
Category o	Issues Addressed (check all that apply)	
🖄 Orga	zation 🖾 Administration 🗆 Personnel 💭 Other	
Was this n	n-tax initiative a part of your original plan application 🙀 or a plan amendmen	t 🗆
Has the or	nance(s) needed to implement this initiative been enacted? 🛛 🛱 Yes 🛛 No	
If yes, whe	was the ordinance enacted? 12/18/14	
If no, pleas	describe challenges faced in enacting the related ordinance(s)	
N/A		
	 In the space below, please provide a brief narrative highlighting successes re- implementation of this initiative and any metrics used to track performance. 	alize
	y presently has contracts / agreements with other state and localjurisdictions nance.	;
When t	ture contracts are needed, the City will implement by resolution.	
	RNED – In the space below, please provide a brief narrative highlighting lessons lea	
	nentation of this revenue initiative that would benefit other municipalities.	me
N/A		

Initiative:	Issuance of	liens for delir	quent City fees	0rc	. No. 2014	4-24
Category of	Issues Addres	ssed (check all tha	at apply)			
🛛 Organ	ization	🛛 Administr	ation	Personnel		Other
Was this no	n-tax initiative	e a part of your o	riginal plan appli	cation 🖾 🛛 or	a plan	amendment \Box ?
Has the ord	inance(s) need	ded to implement	this initiative be	en enacted?	XXX Yes	□ No
If yes, wher	was the ordir	nance enacted?	12/18/14			
If no, please	e describe cha	llenges faced in e	nacting the relat	ed ordinance(s)		
N/A						
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P1		·		•		
<u>17. – 12. – 1</u> . – 1						
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N/A			2		·	

#6,

Initiative: Implement a municipal sales tax Ord. No. 2014-25 Was this tax initiative a part of your original plan application I or a plan amendmed Implement a municipal sales tax Ord. No. 2014-25 Was this tax initiative a part of your original plan application I or a plan amendmed Implement a municipal sales tax Ord. No. 2014-25 Was this tax initiative a part of your original plan application I or a plan amendmed Implement a municipal sales tax Ord. No. 2014-25 Has the ordinance(s) needed to implement this initiative been enacted? Implement a municipal sales Implement a municipal sales Has the ordinance(s) needed to implement this initiative been enacted? Implement a municipal sales Implement a municipal sales If yes, when was the ordinance enacted? 12/18/14 If no, please describe challenges faced in enacting the related ordinance(s) N/A N/A N/A REVENUES – In the space below, please provide a brief narrative highlighting revenue amount and, any metrics used to track performance. Sales Tax (July - August, 2015) \$548,914 SUCCESSES – In the space below, please provide a brief narrative highlighting projects, improve programming, etc. realized through the implementation of this revenue initiative and any mused to track performance. Presently, sales tax revenue is being placed in a special revenue fund (Sales Tax fuse of these funds will be programmed in the future by City Council for c
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The City was able to reduce the B&O tax (retail 10%); wholesale -10% and eliminate
amusement tax, estimated to be \$300,000 for FY 2015-2016.
For the FY 2015-2016 Budget, the City budgeted \$600,000 of the Sales Tax to be rece
(\$300,000 for the B&O tax reduction and \$300,000 for health insurance cost increase).
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LESSONS LEARNED – In the space below, please provide a brief narrative highlighting lessons le
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Init	tiative:	Reduce B&O	taxes	Ord. N							
Wa	as this tax	initiative a p	art of yo	ur original	plan	applicatio	ony	or	a plan	amendm	ent D
Ha	s the ordi	nance(s) nee	ded to in	nplement	this in	itiative b	een enact	ed?	🕅 Yes	🗆 No	
lf y	ves, when	was the ordi	nance en	acted?		12/18/14					
lfn	no, please	describe cha	llenges fa	aced in en				ince(s)			
	N/A										
rev	enue cat	In the space egories realize trics used to	zed; reve	enue amo	unts a				-		
	•	ax Reductions	•			15).					
	F	Retail	5 (oury	\$62,389	, <u> </u>	1.5 / •					
		Nholesale Amusement		3,862 2,000	Fst.						
					2300						
				¢C0 251							
		fotal reduct:	ION	\$68,251							
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Initiative:	Inspection ar	nd citation powers	s of municipal	deputy f	ire mar	shals	Ord. 1	No. 2014-2
Category of I	ssues Address	ed (check all that a	ipply)					
🕅 Organiz	zation	⊠ XAdministrati	on	Perso	nnel		C Othe	er
Was this non	i-tax initiative a	a part of your origi	nal plan applic	ation 🙀	or	a plan	amendr	ment 🛛 ?
Has the ordin	nance(s) neede	ed to implement th	is initiative bee	en enacte	d? [Yes)
If yes, when	was the ordina	ince enacted?	12/18/14					
If no, please	describe challe	enges faced in ena	cting the relate	d ordinan	ce(s)			
N/A								
	•	below, please p n of this initiative				-		s realized
Depar	rtment personn	n passed. City An Nel that are Munic this code enforce	ipal Deputy F	ire Marsl	hals co	mplete i	required	t
					Jenedu			
								1
		space below, plea iis revenue initiativ	-		-			learned
N/A			3					
]

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Init	tiative: Purchase tax liens on properties subject to delinquent property taxes; right of
	egory of Issues Addressed (check all that apply)
	☑ Organization
Wa	is this non-tax initiative a part of your original plan application 🖾 or a plan amendment l
Has	s the ordinance(s) needed to implement this initiative been enacted? Yes X No
lf y	es, when was the ordinance enacted?
lf n	o, please describe challenges faced in enacting the related ordinance(s)
	See below.
	CCESSES – In the space below, please provide a brief narrative highlighting successes realion of this initiative and any metrics used to track performance.
	The City continues to research the best method to adopt for dealing with municipal liens and delinquent taxes. The next assessment year begins July 1, 2015 and tax year January 1, 2017. The city anticipates enactment of an ordinance prior to June 1, 2016.
	SONS LEARNED – In the space below, please provide a brief narrative highlighting lessons learning implementation of this revenue initiative that would benefit other municipalities.
N/A	ing implementation of this revenue initiative that would benefit other municipalities.
W/A	

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#10.

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Initiative: Exercise	the same authority as the ABC	AA		
Category of Issues Add	dressed (check all that apply)			
🕅 Organization	D2 XAdministration	Personnel		Other
Was this non-tax initia	tive a part of your original plan	application 💭 or	a plan	amendment 🗆
Has the ordinance(s) n	eeded to implement this initiat	tive been enacted?	🗆 Yes	XX No
If yes, when was the o	rdinance enacted?			
If no, please describe o	challenges faced in enacting the	e related ordinance(s)		
See below			2	
requirements. and therefore d	nsulted with the ABCA concern The ABCA has indicated they w eny licenses. The City and H ature to make the ABCA comply	rill not honor any re Iome Rule Board may n	duction i eed some	in the distance
LESSONS LEARNED – In	the space below, please provi	de a brief narrative hi		
during implementation N/A	of this revenue initiative that w		inicipaliti	es.
•			inicipaliti	es.
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