

**ORDINANCE NO. 4826**

**AN ORDINANCE OF THE CITY OF NAMPA, IDAHO, AMENDING AND RESTATING CERTAIN SECTIONS OF ORDINANCE NO. 1946 WHICH ESTABLISHED THE NAMPA DOWNTOWN BUSINESS IMPROVEMENT DISTRICT NO. 2 PURSUANT TO CHAPTER 26, TITLE 50 IDAHO CODE; MODIFYING THE PROVISIONS DESCRIBING THE GENERAL PURPOSES OF THE FUNCTION AND OPERATION OF THE DISTRICT; MODIFYING THE PROVISIONS REGARDING THE AMOUNT, CALCULATION, APPLICATION AND PAYMENT OF THE SPECIAL ASSESSMENTS COLLECTED WITHIN THE DISTRICT; MODIFYING CERTAIN PROVISIONS INCLUDING THOSE REGARDING INCREASES IN ASSESSMENTS AND MAXIMUM ASSESSMENT AMOUNTS; REPEALING CERTAIN ORDINANCES AND RESOLUTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Nampa desires to update its Business Improvement District ("BID") ordinance;

**WHEREAS**, the City desires to clarify that in regards to its BID it has the option to either hire a downtown manager, which may either be by contract with an appropriate entity or individual, or handle the management internally with city staff or employees;

**WHEREAS**, the City desires to change the way assessments are calculated, paid and collected within the Downtown Business Improvement District No. 2 ("District") so that the applicable special assessments are calculated based on the assessed value of the property and paid by the property owner to either the city or Canyon County treasurer which will provide for a more consistent and stable revenue stream that will enable the District to better achieve its mission and promote growth and development of existing and new businesses in downtown Nampa; and

**WHEREAS**, the City desires the notice of the annual special assessments for the District to be provided by the City, paid to the City Treasurer and processed pursuant to applicable Idaho Code and this ordinance;

**WHEREAS**, in accordance with I.C. Sections 50-2605, 50-2606 and 50-2614 the

City of Nampa adopted Resolution No. 15-2024 of the Mayor and Council on the 3rd day of September 2024 which set forth proposed changes to the downtown business improvement district ordinance, fixed the date, time and location of the public hearing held on October 21, 2024 at 6:00 p.m.

**WHEREAS**, the Nampa City Council provided the notice required in Title 50, Chapter 26, Idaho Code and held a public hearing on this matter at their regular city council meeting commencing at 6:00 p.m. on October 21, 2024, at Nampa City Hall located at 411 Third Street South, Nampa, ID 83651. At this city council meeting and following the public hearing the council considered the proposed amendments to Nampa City Ordinance No. 1946, including without limitation, the modification of the rates of special assessment and their calculation, application and collection and the repeal of other related ordinances. Prior to making its determination on this ordinance the City Council received and considered all testimony and evidence submitted for and against as well as all protests regarding the provisions of this ordinance. Following its consideration of the foregoing, the Nampa City Council determined it to be in the best interest of the public to authorize and adopt this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:**

**SECTION 1.** Section 4 of Nampa City Ordinance 1946 is repealed, amended and restated so it reads as follows:

Section 4: The purposes for the District are as follows:

- a. The promotion of public events which are to take place on or in the District, including but not limited to regular promotional sales.
- b. The general promotion of retail trade and professional activities in the District, including but not limited to promotional advertising and marketing advertising.
- c. To oversee and cover the operational costs for the management, development and promotion of the District, including design and implementation of advertising and promotions, recruiting new businesses to the District, assisting the redevelopment of downtown businesses, and to oversee and participate in any other related activity necessary or desirable for the promotion of business in the District.
- d. The physical improvement and decoration of any public space within the District, including but not limited to the purchase and placement or replacement of trees, shrubs, and plants, the implementation and maintenance of downtown landscaping and improvements, and other projects intended to beautify and improve the appearance and welcoming nature of the District.
- e. The operation and staffing of ongoing programs, facilities and improvements that benefit the District, bring patrons and customers downtown and support and/or promote existing businesses and new businesses development downtown.
- f. Any and all other purposes for which such a district may be formed under Idaho Code, Section 50-2601.

**SECTION 2.** Section 5 of Nampa City Ordinance 1946 is repealed, amended and restated so it reads as follows:

Section 5: The City engineer is hereby directed to make out an assessment role according to the provisions of this ordinance. The rate of levy for the annual special assessment for the owner of an assessable parcel of real property used for business or commercial purposes shall be as follows:

- a. Tier 1. In the case of a parcel containing only ground level businesses, the annual assessment shall be equal to the following levy rates which are to be applied to the most recent assessed value of that parcel in the applicable year, as determined by the Canyon County Assessor's Office:

- i. Year 2025: .002
- ii. Year 2026: .00226 iii. Year 2027: .00252
- iv. Year 2028: .00278 v. Year 2029: .00304
- vi. Year 2030 and beyond: .0033

The Tier 1 levy rate for 2030 shall apply in all subsequent years unless said rate is further modified by subsequent ordinance of the city council.

- b. Tier 2. In the case of a parcel containing a building(s) with both upper and lower story businesses, the annual assessment shall be equal to the following levy rates which are to be applied to the most recent assessed value of that parcel in the applicable year, as determined by the Canyon County Assessor's Office:

- i. Year 2025: .002
- ii. Year 2026: .0021 iii. Year 2027: .0022
- iv. Year 2028: .0023 v. Year 2029: .0024
- vi. Year 2030 and beyond: .0025

The Tier 2 levy rate for 2030 shall apply in all subsequent years unless said rate is further modified by subsequent ordinance of the city council.

- c. The following properties shall be exempt from the special assessment and considered not assessable under this ordinance:

- i. Those residences qualifying for and receiving a "Homeowners Exemption" from Canyon County;

- ii. Those parcels or portions of parcels, qualifying for and receiving an exemption from Canyon County from payment of property taxes due to owner or occupant's status as a "Non-profit Organization," but only to the extent of the exemption granted;
  - iii. Those parcels, or portions of parcels, qualifying for an exemption from payment of real property taxes due to the owner or occupant's status as a governmental or quasi-governmental entity.
- d. Notwithstanding the amounts resulting from the application of the Tier 1 and Tier 2 levy rates set forth in subsections a. and b. each property owner shall pay at least the minimum assessed amount, and no more than the maximum assessed amount as set forth herein. The minimum assessment amount for each parcel shall be three hundred fifty dollars (\$350.00) and shall be paid by each parcel owner. Should the assessment of any single parcel of property (calculated in accordance with the above) be in excess of two thousand five hundred dollars (\$2,500.00), the owner of said parcel shall only be required to pay a maximum of \$2,500.00 for that parcel.

**SECTION 3.** Section 6 of Nampa City Ordinance 1946 is repealed, amended and restated so it reads as follows:

Section 6: The estimated rate of the annual special assessment may be changed up or down as provided for in Idaho Code, Section 50-2614.

**SECTION 4.** Section 7 of Nampa City Ordinance 1946 is repealed, amended and restated so it reads as follows:

Section 7: The life of the proposed District shall be perpetual unless disestablished pursuant to Chapter 26, Title 50, Idaho Code.

**SECTION 5.** Section 8 of Nampa City Ordinance 1946 is repealed, amended and restated so it reads as follows:

Section 8: These special assessments shall be paid annually and shall be assessed on a calendar year basis. Said special assessments shall be paid to the city treasurer within thirty (30) days of mailing of the notification of assessment and collected in accordance with applicable state law and this ordinance.

**SECTION 6.** All ordinances, resolutions, orders and parts in conflict herewith are hereby repealed. Also more specifically, Nampa City Ordinances No. 2333, No. 2647, No. 4686 and No. 1855, if they have not already been repealed, are hereby repealed in their entirety. Also more specifically, Resolutions No. 3-1993 and No. 18 are hereby repealed.

**SECTION 7.** Savings Clause. The provisions of the above Nampa City ordinances and resolutions described and herein amended or repealed shall remain in force as they existed prior to the enactment of this ordinance solely to authorize any enforcement or collection actions or


proceedings, including without limitation, such actions against those who violate said provisions prior to the effective date of this ordinance.

**SECTION 8.** This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of invalidity.

**SECTION 9.** This ordinance shall be in full force and effect from and after its passage. Approval and publication according to law.

**PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 21ST DAY OF OCTOBER 2024.**

**APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 21ST DAY OF OCTOBER 2024.**

  
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**Mayor Debbie Kling**

**Attest:**

  
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**City Clerk**



State of Idaho )

Canyon County )

On this 21st day of October 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Debbie Kling known to be the Mayor and Charlene Tim known to be the City Clerk of the City of Nampa, a municipal corporation, who executed the foregoing instrument.

In Witness Whereof, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

R. Mann

Residing at: Nampa, Canyon County, Idaho  
My Commission Expires: 9-11-2029

