

ORDINANCE NO. 5876

**AN ORDINANCE TO CODIFY THE BUSINESS IMPROVEMENT DISTRICT NO. 1 BOARD'S COMPOSITION, REGULATIONS AND POWERS BY ADDING SECTIONS 3.24.035 AND 3.24.036 TO CHAPTER 3.24 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has established Business Improvement District No. 1 to market and promote the City of Rapid City and the hotels and motels located within the district; and

WHEREAS, the Board of Business Improvement District No. 1 was appointed at the time of the establishment of the district and continues to exist; and

WHEREAS, the BID Board, which is required by SDCL ch. 9-55, is not included in Chapter 3.24 of the Rapid City Municipal Code; and

WHEREAS, the City desires to include the composition, powers and duties of the Board in the Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 3.24 of the Rapid City Municipal Code be and is hereby amended to add Section 3.24.035 as follows:

**3.24.035 Board.**

There is hereby continued, as has been previously established pursuant to SDCL ch. 9-55, a Business Improvement District No. 1 Board.

A. Composition.

1. Voting members. The Board shall consist of seven voting members, who shall be appointed by the Mayor with the approval of the Common Council. Persons who are eligible to be members of the Board include the following:
  - a. An owner of property located in the district;
  - b. An owner of a business located in the district; or
  - c. An operator of a business located in the district.
  - d. For purposes of this section, if the business or property is owned or operated by a legal entity and not a natural person, such entity may designate an officer, director, member, manager, partner or employee as its representative for purposes of Board membership.
  
2. Non-voting members. The board shall also include the following ex-officio non-voting members:
  - a. The Mayor;
  - b. The Convention and Visitors Bureau Executive Director; and
  - c. An Alderman chosen by the City Council President.

B. Terms. All voting members of the Board shall be appointed to serve a 3-year term. A member of the Board may serve more than 1 term. Terms shall be staggered so that no more than 3 voting members' terms end at the same time.

C. Vacancies. The Mayor, with the approval of the Common Council, shall fill any vacancy of voting members for the remainder of the term vacated.

D. Officers. The Board shall annually select from its voting members a chair, vice chair, and secretary.

E. Compensation. All members of the Board shall serve as such without compensation, except for actual expenses, which shall be subject to approval of the Common Council.

BE IT FURTHER ORDAINED by the City of Rapid City that Chapter 3.24 of the Rapid City Municipal Code be and hereby is amended to add Section 3.24.036 as follows:

**3.24.036 Powers of the Board.**

The Business Improvement District No. 1 Board shall oversee the administration of the district, the establishment of programs, and the expenditure of BID funds on marketing and promotion. The Board shall have the power to contract for all services necessary for carrying out its duties.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)