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SENATE BILL NO. 1212

Offered January 14, 2009

Prefiled January 13, 2009

A BILL to allow the City of Charlottesville the authority to create a clean energy financing program.

Patrons—Deeds; Delegate: Toscano

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. § 1. A. The governing body of the City of Charlottesville may, by ordinance, authorize contractual assessments to finance the initial acquisition and installation of clean energy improvements with free and willing property owners. Such an ordinance shall include but not be limited to the following:

1. The kinds of distributed generation renewable energy sources or energy efficiency improvements that may be financed;

2. The proposed arrangement for financing the program, including (i) a statement concerning the source of funding that will be used to pay for work performed pursuant to contractual assessment; (ii) the interest rate and time period during which contracting property owners would pay any assessment; and (iii) the method of apportioning all or any portion of the costs incidental to financing, administration, and collection of the contractual assessment program among the consenting property owners and the city;

3. A minimum and maximum aggregate dollar amount of contractual assessment;

4. A method for setting requests from property owners for financing through contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount;

5. Identification of a city official authorized to enter into contractual assessments on behalf of the city; and

6. A draft contract specifying the terms and conditions proposed by the city.

B. The city may combine the payments required by the contractual assessments with billings for water or sewer charges, real property tax assessments, or other billings; in such cases, the city may establish the order in which payments will be applied to the different charges. The City of Charlottesville may not combine its billings for payments required by a contractual assessment authorized pursuant to this section with billings of another locality or political subdivision, including an authority operating pursuant to Chapter 51 (§ 15.2-5100 et seq.) of Title 15.2, unless such locality or political subdivision has given its consent by duly adopted resolution or ordinance.

C. Prior to the enactment of an ordinance pursuant to this section, a public hearing shall be held at which interested persons may object to or inquire about the proposed program or any of its particulars. The public hearing shall be advertised once a week for two successive weeks in a newspaper of general circulation in the locality.

INTRODUCED

SB1212