

ORDINANCE NO. 2010 -201-1

AN ORDINANCE OF THE TOWNSHIP OF HARBORCREEK, ERIE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 2010-201, AN ORDINANCE PROVIDING FOR REAL ESTATE TAX ABATEMENT FOR COMMERCIAL, BUSINESS AND INDUSTRIAL PROPERTIES IN CERTAIN AREAS AND PROVIDING FOR REAL ESTATE TAX ABATEMENT FOR RESIDENTIAL CONSTRUCTION AND IMPROVEMENTS IN CERTAIN AREAS.

Whereas, The Board of Supervisors of Harborcreek Township recognizes that the conditions which existed at the time of the passage of the original ordinance have continued to evolve insofar as certain areas need incentives to spur construction and development of certain residential housing; and

Whereas, the Board of Supervisors recognizes that any real property tax relief offered in this Ordinance No. 2010 - 201 must also be approved by the governing bodies of the Harbor Creek School District and the County of Erie.

NOW THEREFORE, be it enacted by the Harborcreek Township Board of Supervisors of the County of Erie that Ordinance No. 2010 - 201-1 shall provide as follows:

Section One. Purpose. This amendment is enacted to include new residential and non-residential construction being eligible for tax abatement within the Investment Opportunity Zone.

Section Two. Section Three (a) 3 shall be revised to read as follows:

“New Residential Construction built in the Investment Opportunity Zone.”

Section Three. Section Three (a) 4 shall be revised to read as follows:

“New Construction on Non-Residential properties, without regard to whether such properties qualify as “Deteriorated Property Non-Residential”, provided said improvements are constructed within the Investment Opportunity Zone.”

Section Four. Section Five Exemption Schedule (a) shall be revised to read as follows:

(a) The Real Property Tax exemption for New Construction Residential and/or Improvements to Deteriorated Property Residential and New Construction Non-Residential and/or Deteriorated Property Non-Residential in the Investment Opportunity Zone referred to in Section 6a hereafter, but not located in a LERTA District or Growth Boundary Area, shall be in accordance with the following schedule:

Length / Portion

1st year 50%

2nd year 40%

3rd year 30%

4th year 20%

5th year 10%

After the fifth year the exemption shall terminate.

Section Five. Section Six. Investment Opportunity Zone Descriptions (a) shall be revised to read as follows:

(a) The Investment Opportunity Zone wherein Real Property Tax abatement is available for New Residential Construction, New Non-Residential Construction and/or improvements to Deteriorated Property Residential and Deteriorated Property Non-Residential shall consist of the entire Township.

Section Six. Section Seven. Sunset Provisions shall be revised to expire on the 31st Day of December, 2014 and read as follows:

“The provisions of this Comprehensive Tax Abatement Ordinance shall expire on the 31st Day of December, 2014 unless extended by ordinance duly adopted. Any applicant for tax abatement must have a building permit to be eligible for tax abatement treatment hereunder, with that permit having been issued on, or before, the 31st day of December, 2014.”

Section Seven. Section Eleven. Effective Date shall be revised as follows;

The effective date of this Ordinance shall be January 1, 2013 or the date of final passage of related Ordinances or Resolutions by the Harbor Creek School District and the County of Erie, which ever is the later.

Section Eight. Repealer

Any provisions of any prior enactments, including any amendments of the original zoning ordinance, No. 2010-201, inconsistent with the provisions contained herein, are hereby repealed and replaced by these provisions. The remaining provisions of Ordinance 2010-201, and its amendments shall remain effective and should be interpreted consistent with the terms of this amendment.

BE IT ENACTED THIS _____ DAY OF _____, 2012.

Joseph D. Peck, Chairperson

Dean S. Pepicello, Supervisor

Timothy J. May, Supervisor

ATTEST:

A copy of this Ordinance was duly advertised in the Erie Times News on the _____ day of _____, 2012.

The motion to adopt this ordinance was made by _____, Supervisor and seconded by _____, Supervisor. The vote with respect to this ordinance was _____.