



*Borough of Susquehanna Depot,
Susquehanna County, Pennsylvania*

Ordinance # 442

An ordinance, hereby providing tax exemption for improvements made to deteriorated residential property with, the Borough of Susquehanna

WHEREAS, the Borough of Susquehanna Depot has suffered continued population decline over the last thirty (30) years as evidenced by the chart attached as Exhibit A;

WHEREAS, the housing stock in the Borough of Susquehanna Borough includes a significant number of deteriorated properties.

WHEREAS, individuals and families are building residential housing in surrounding communities outside of the Borough of Susquehanna Depot;

WHEREAS, realtors and developers have provided letters of support as shown in Exhibit B, stating that a Residential LERTA will significantly increase the interest of people looking to rehabilitate or build homes in the Borough of Susquehanna Depot;

WHEREAS, tax revenues from residential properties are unable to keep up with the rising cost of inflation;

WHEREAS, the proposed Residential LERTA will provide for rehabilitation of the current housing stock thereby preserving existing homes; and

WHEREAS, the proposed Residential LERTA will also promote new construction of residential housing stock within the Borough of Susquehanna Depot.

NOW, THEREFORE, Be it ordained, by the Council of the Borough of Susquehanna Borough and it is hereby ordained by and with the authority of the same AS follows:

SECTION 1: SHORT TITLE

This ordinance shall be known and may be cited as the "**Borough of Susquehanna Depot Neighborhood Reinvestment Ordinance.**"

SECTION 2: PURPOSE

The purpose of this ordinance is to encourage investment and reinvestment in the housing inventory of the neighborhoods throughout the Borough of Susquehanna Depot, pursuant to the authority contained in an Act of July 9, 1971, P.L. 206, No. 34, as reenacted and amended by Act 42 of August 5, 1917.

PAGE 2 - Ordinance #

SECTION 3: DEFINITIONS

For the purposes of this ordinance, all words used in the present tense include future tense, all words in the plural number include the singular numbers, and all words in the singular numbers include the plural number, unless the natural construction of the sentence clearly indicates otherwise. The word "shall" is mandatory and not directory. As used in the ordinance, certain terms are defined as follows::

- A. ASSESSMENT AGENCY - the Susquehanna County Assessor's Office,
- B. BOROUGH - the Borough of Susquehanna Depot,
- C. RESIDENTIALLY ZONED AREA - that portion of the Borough which has been zoned residential, including unimproved, overgrown and unsightly vacant land that exists, which has remained so for a period of five years or more, indicating a growing or total lack of utilization of land for residential purposes.
- D. DETERIORATED PROPERTY - a dwelling unit located in a residential area deemed unfit for human habitation, a dwelling unit subject to an order by the Borough to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations, or a dwelling unit placed on notice for code violations, as issued by the Borough of Susquehanna Depot Codes Enforcement Division.
- E. DWELLING UNIT - a house, double house or duplex, townhouse or row house, apartments or any building intended for occupancy as living quarters by an individual, family or families or other groups of persons, which contains a kitchen or cooking equipment for the exclusive use of the occupant or occupants.
- F. IMPROVEMENT - any repair, construction or reconstruction commencing after the effective date of this ordinance, including alterations and additions, having the effect of rehabilitating a structure so that it becomes compliant with all laws, ordinances, codes or regulations governing housing standards. Ordinary upkeep and maintenance shall not be deemed an improvement.
- G. NEW RESIDENTIAL CONSTRUCTION - the building or erection, commencing after the effective date of this ordinance, of dwelling units, as defined in "dwelling unit" hereof, upon vacant land or land specifically prepared for such structures.

SECTION 4: EXEMPTION LIMITS, PERMITS, COMPLIANCE AND TERMINATION

- A. There is hereby exempted from real estate taxation, in the amounts and in accordance with the provisions and limitations hereinafter provided, that portion of the assessment attributable to the actual cost of the improvements made to deteriorated property as defined in Section 3.

- B. No property shall be entitled to a tax exemption as herein provided unless the necessary and proper permits have been applied for and obtained in accordance with the requirements set forth in the Codes of the Borough of Susquehanna Depot, including but not limited to Renters Uniform Property Maintenance, Zoning, and the Uniform Construction Code - PRIOR to improving the property.
- C. No tax exemption shall be granted if the improvements as completed do not comply with all ordinances, codes, rules, regulations, statutes and other applicable laws.
- D. No property shall be entitled to a tax exemption unless all taxes, municipal assessments, fees, and other charges are paid in full- at the time of application.
- E. No property that is converted into multiple dwelling units shall be entitled to a tax exemption,
- F. The exemption from real estate taxes authorized by this ordinance shall terminate irrevocably upon the default in the payment in full of any other taxes, fees, municipal assessments or charges, together with accrued penalties and/or interest, due to be paid upon the deteriorated property exempted.

SECTION 5: EXEMPTION SCHEDULE

A. The portion of the assessment of a property attributable to improvements as determined by the assessment Agency to be exempted from taxation in accordance with the following schedule:

| IMPROVEMENT TYPE | LENGTH | PORTION EXEMPT |
|------------------------------------------------------|-----------------|--------------------------------------------------|
| • Remodeling/ Renovations / Additions / Alterations | Three (3) years | 100 / 100 / 100 |
| • New Construction | Five (5) years | 100 / 100 / 100 / 100 / 100 |
| • Conversions (Double / Multi to Single Family ONLY) | Five (5) years | 100 / 100 / 100 / 100 / 100 |
| • Demolition & New Construction | Ten (10) years | 100/100/100/100/100 50/50/50/50/50 |

B. The exemption from real estate taxes authorized by this ordinance shall be upon the property exempted and shall not terminate upon the sale or exchange of the property.

SECTION 6: EXEMPTION PROCEDURE

- A. At the time a building permit for an improvement or new construction is applied for, the Borough of Susquehanna Depot shall notify the applicant of the possibility of a tax exemption under this ordinance. When the building permit is issued, the applicant shall apply to the Council for the Borough of Susquehanna Depot for such exemption. The application shall be in writing upon forms prescribed by the Borough of Susquehanna Depot, and shall be accompanied by the following non-refundable application fees: 3 Year Exemption, \$100 / 5 Year Exemption, \$250.
- B. The Council for the Borough of Susquehanna Depot shall determine whether the exemption shall be granted. A copy of the approved request for exemption shall be forwarded by the Council of the Borough of Susquehanna Depot to the applicant.

- C. Upon completion of the improvement, the taxpayer shall notify the Council for the Borough of Susquehanna Depot, so that the Council may assess the improvements separately for the purpose of calculating the amount of assessment eligible for exemption.
- D. The Council for the Borough of Susquehanna Depot shall notify the applicant of the amount of the assessment and the amount eligible for the exemption.
- E. Appeals from the reassessment and the amount eligible for the exemption may be taken by the Borough or by the taxpayer as provided by law.

SECTION 7: SUBSEQUENT REDUCTION IN ASSESSMENT

In the event that the approved applicant subsequently receives, by whatever means, a reduction in assessed value relative to part or all of their property which is currently the subject of the tax exemption provided in the ordinance, such reduction shall be applied proportionately to the portion of the assessed value which is subject to the tax exemption and the portion of assessed value which is not subject to a tax exemption, and shall result in a reduction of the tax exemption which was initially granted for purposes of the number of exemption years still remaining on the exemption schedule.

SECTION 8: AUTHORITY TO ADMINISTER

The Borough of Susquehanna Borough Council shall have the authority for administering and monitoring the tax exemption program covered by this ordinance, and shall have the authority to deny any and all tax exemption requests when they do not meet or comply with the terms of this ordinance.

SECTION 9: SEVERABILITY

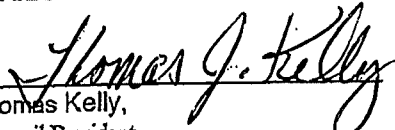
The provisions of this ordinance are severable and if any section, sentence, clause, revision, part or other portion hereof shall be held unconstitutional, illegal, invalid or otherwise ineffective, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Borough of Susquehanna Depot that this ordinance would have been adopted had such unconstitutional, illegal, invalid, or otherwise ineffective section, sentence clause, or provision, part or other portion not been included herein,


PAGE 4 - Ordinance #

FIRST READING: _____

SECOND READING: _____

ATTEST:


Thomas Kelly,
Council President


Ann Stewart
Borough Secretary


Denise Reddon
Mayor

11/28/06

SEAL

SEAL

Borough of Susquehanna Depot & The Susquehanna Comm. School District

| |
|----------------------|
| Date Approved |
| Borough: _____ |
| School: _____ |

NEIGHBORHOOD REINVESTMENT TAX ABATEMENT APPLICATION

Copies of the ordinance and resolution are attached for your review. Please read the legislation carefully before submitting this application to the Borough of Susquehanna Depot.

It is the applicant's responsibility to ensure separate approvals from both taxing bodies.

Name of Owner/Applicant: _____

Address of Owner/Applicant: _____

Address of Property Requesting Exemption: _____

Phone Number of Applicant: (____) _____

Estimated Cost of the Project: \$ _____ Estimated Project Completion Date: _____

A Sketch of the Project / Improvement AND Pictures of the Existing Land or Building MUST also be submitted.

SECTION 1: EXEMPTION SCHEDULE

(Please **CIRCLE** appropriate exemption request for each government entity.)

The schedule of real estate taxes to be exempted shall be in accordance with the following portion of improvements to be exempted each year.

| <u>IMPROVEMENT TYPE</u> | <u>LENGTH</u> | <u>PORTION EXEMPT</u> |
|-------------------------|---------------|-----------------------|
|-------------------------|---------------|-----------------------|

Susquehanna Depot (Residential):

| | | |
|----------------------------------------------------|-----------------|-----------------------------|
| Remodeling / Renovations / Additions / Alterations | Three (3) Years | 100/ 100 /100 |
| New Construction | Three (3) Years | 100 / 100 / 100 |
| Conversions: (Double/Multi to Single Family ONLY) | Three (3) Years | 100 / 100 / 100 |
| Demolition & New Construction | Five (5) Years | 100 / 100 / 100 / 100 / 100 |

Susquehanna Depot (Commercial):

Project Amount

| | | |
|--------------------------|---------------------|----------------------------------------------------------------|
| \$100,000 to 249,000 | One (1) Year | 100 |
| \$250,000 to 499,999 | Three (3) Years | 99 / 66 /33 |
| \$500,000 to 999,999 | Five (5) Years | 100 / 80 / 60 / 40 / 20 |
| \$1,000,000 to 1,499,999 | Ten (10) Years | 100/90/80/70/60/50/40/30/20/10 |
| \$1,500,000 to 1,999,999 | Fifteen (15) Years* | 100/93/86/80/73/66/60/53/46/40/33/26/20/13/6 |
| \$2,000,000 and up | Twenty (20) Years* | 100/95/90/85/80/75/70/65/60/55 50/45/40/35/30/25/20/15/10/5 |

*Current State Law limits a single LERTA exemption to 10 years, therefore, two (2) separate approvals must be granted at the time of application.

Susquehanna Comm. School District:

New Construction

| | | |
|------------------------------------|-----------------|-----------------|
| Residential | Two (2) Years | 100 / 100 |
| Commercial | Three (3) Years | 100 / 100 / 100 |
| Improvement/Renovation (\$10,000+) | | |
| Residential | Two (2) Years | 100 / 100 |
| Commercial | Three (3) Years | 100 / 100 / 100 |

SECTION II: PROCEDURE FOR OBTAINING EXEMPTION

- A. At the time a building permit for an improvement or new construction is applied for, the Borough of Susquehanna shall notify the applicant of the possibility of a tax exemption under this ordinance. When the building permit is issued, the applicant shall apply to the Council for the Borough of Susquehanna for such exemption. The application shall be in writing upon forms prescribed by the Borough of Susquehanna and the Susquehanna Community School District, and shall be accompanied by the following **non-refundable** application fees:
3 Year Exemption - \$100 / 5 Year Exemption - \$250.00.
- B. The Council for the Borough of Susquehanna and the Susquehanna Community School District shall determine whether the requested exemptions shall be granted. A copy of the decision on the request for exemption shall be forwarded by the Council of the Borough of Susquehanna and the Susquehanna Community School District to the applicant.
- C. Upon completion of the improvement, the applicant shall notify the Council for the Borough of Susquehanna, so that The Council may assess the improvements separately for the purpose of calculating the amount of assessment eligible for the exemption.
- D. The Council for the Borough of Susquehanna shall notify the applicant and the Susquehanna Community School District of the amount of the assessment and the amount eligible for the exemption.
- E. Appeals from the reassessment and the amount eligible for the exemption may be taken by the Borough, the School District or by the taxpayer as provided by law.

***NOTE:** The exemption from taxes granted under the Neighborhood Reinvestment ordinance shall be upon the property, and shall not terminate upon the sale or exchange of the property.*

SECTION III: PROOF OF IMPROVEMENTS

The applicant shall present proof of all building permit receipts. Please attach copies of all permits to this application.

| <u>PERMIT NUMBER</u> | <u>TYPE OF PERMIT</u> | <u>AMOUNT OF PERMIT</u> |
|----------------------|-----------------------|-------------------------|
| | | |
| | | |

SECTION IV: REVOCATION OF NEIGHBORHOOD REINVESTMENT PRIVILEGES

It shall be specifically understood by the applicant that ALL applicable taxes, fees or other charges must be paid in full at the time of application. Furthermore, the exemption from real estate taxes provided in the Neighborhood Reinvestment ordinance shall be forfeited by the applicant and/or any subsequent owner of the real estate for failure to pay nonexempt real estate taxes and all other applicable taxes, fees or charges by their due date. Upon receipt of notice of nonpayment for said taxes, fees or charges, the Borough Treasurer shall be directed to discontinue the Neighborhood Reinvestment exemption.

Signature of Applicant: _____ Date: _____

(Note: Signature on this document signifies that all information is true and correct.)

ALL APPROVED APPLICATIONS MUST BE RETURNED TO:
BOROUGH OF SUSQUEHANNA – 284 ERIE BLVD. – SUSQUEHANNA, PA 18847

Borough of Susquehanna Depot

Susquehanna Community School District

Date:

Date:

Borough of Susquehanna Depot

Council Meeting

Minutes of November 28th, 2006

The regularly scheduled meeting of the Council of Susquehanna Depot was called to order at 6:00pm by President Tom Kelly, followed by the Pledge of Allegiance.

Councilmen present: John Bronchella, Bill Kuiper, Mike Matis, and Ron Whitehead. Councilmen Roy Williams and Shane Lewis were absent. Mayor Denise Reddon and Secretary Ann Stewart were also present.

Guests present: Barbara Whitehead (Transcript), Helen Foster (Independent), Margaret Biegert, Acer Cuevas, and Jeannie Rodriguez.

MOTION: by Mike Matis, seconded by Bill Kuiper, to approve the agenda as presented with the addition of a Franklin Avenue Update under Old Business. All were in favor; motion carried.

MOTION: by Bill Kuiper, seconded by John Bronchella, to approve the minutes of the previous meeting as read. All were in favor; motion carried.

MOTION: by Mike Matis, seconded by Ron Whitehead, to approve the Bill List as presented. By roll call: John Bronchella, aye; Tom Kelly, aye; Bill Kuiper, aye; Mike Matis, aye; Ron Whitehead, aye. Motion carried.

MOTION: by Mike Matis, seconded by Ron Whitehead, to adopt Ordinance 442, with a change to the Exemption Schedule as noted. By Roll call: John Bronchella, aye; Tom Kelly, aye; Bill Kuiper, nay; Mike Matis, aye; Ron Whitehead, aye. Motion carried.

MOTION: by Mike Matis, seconded by Ron Whitehead, to adopt Ordinance 443, Industrial Exemption, with the correction of a typographical error as noted. By Roll Call: John Bronchella, aye; Tom Kelly, aye; Bill Kuiper, nay; Mike Matis, aye; Ron Whitehead, aye. Motion carried.