

Comm 2077. 6/29/05/jr

**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF DAUPHIN
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 3-2005

**AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE 2-2001
"AN ORDINANCE PROVIDING DEFINITIONS APPLICABLE TO THE
ABATEMENT OF CERTAIN REAL PROPERTY TAXES; ESTABLISHING
EXEMPTION SCHEDULES ABATEMENT OF SAID REAL PROPERTY
TAXES; ESTABLISHING PERMISSIBLE EXEMPTION AMOUNTS FOR THE
ABATEMENT OF SAID REAL PROPERTY TAXES; ESTABLISHING
PROCEDURES FOR NOTICE TO TAXPAYERS AND FOR IMPLEMENTING
THE ABATEMENT OF SAID REAL PROPERTY TAXES; ESTABLISHING THE
BOUNDARIES OF DETERIORATING AREAS AND DETERIORATED
NEIGHBORHOODS FOR THE PURPOSES OF ABATEMENT OF SAID REAL
PROPERTY TAXES; FURTHER PROVIDING FOR THE EFFECTIVE
TERMINATION OF THIS ORDINANCE ON DECEMBER 31, 2004;
AND FURTHER PROVIDING FOR THE CONTINGENCY OF THIS
ORDINANCE ON CONCURRING LEGISLATION BY
THE HARRISBURG SCHOOL DISTRICT
AND THE CITY OF HARRISBURG"
BY EXTENDING THE TERMINATION DATE THEREOF
THROUGH DECEMBER 31, 2009**

WHEREAS, on August 5, 1977, Act No. 42 of 1977 (72 P.S. 4711-101 et seq.) authorizing the exemption from property tax of certain improvements to deteriorating dwellings and new residential construction in designated deteriorated areas was duly approved by the Governor of the Commonwealth of Pennsylvania and became effective on October 6, 1977; and

WHEREAS, the Commissioners of Dauphin County, in conjunction with the Council of the City of Harrisburg have held one public hearing to determine the boundaries of certain deteriorated neighborhoods and deteriorating areas; and

WHEREAS, the Commissioners of Dauphin County found that there exists a need in the City of Harrisburg to provide incentives for the rehabilitation of residential property and the revitalization of residential areas and neighborhoods; and

WHEREAS, the Commissioners of Dauphin County found that there exists a need in the City of Harrisburg to provide incentives for the construction of new residential property and housing units; and

WHEREAS, the Commissioners of Dauphin County have found that there exists a need throughout the County to provide incentives for the rehabilitation reconstruction or construction of business property, thereby encouraging the revitalization of business areas and neighborhoods; and

WHEREAS, the existing Dauphin County tax abatement program, enacted by and through Ordinances No. 3-1980, 1-1985, 3-1985, 3-1990, 1-1995, and 2-2001, expired on December 31, 2004; and

WHEREAS, the Commissioners of Dauphin County adopted Ordinance No. 2-2001 and desires to supplement Ordinance No. 2-2001 with this Ordinance No. 3-2005 and apply this Ordinance No. 3-2005 retroactively to January 1, 2005.

WHEREAS, the maximum permissible residential exemption per dwelling unit relating to residential improvements has been projected to be approximately Fifty-Four Thousand One Hundred Fifty-Eight Dollars (\$54,158.00) for the calendar year 2005, Fifty-Five Thousand Four Hundred Thirty-Eight Dollars (\$55,438.00) for the calendar year 2006, Fifty-Six Thousand Seven Hundred Eighteen Dollars (\$56,718.00) for the calendar year 2007, Fifty-Seven Thousand Nine Hundred Ninety-Eight Dollars (\$57,998.00) for the calendar year 2008; and Fifty-Nine Thousand Three Hundred Thirty-

Two Dollars (\$59,332.00) for calendar year 2009, utilizing the statutorily mandated formula set forth in 72 P.S. §4711-203(b).

NOW, THEREFORE, be it ordained by the Commissioners of Dauphin County, and it is hereby ordained by authority of the same, as follows:

SECTION 1. Section 6 of Ordinance 2-2001 is amended as follows:

(a) Unless otherwise repealed or amended by the Board, this chapter shall terminate on December 31, 2009. No later than August 1, 2009 the Mayor of the City of Harrisburg shall submit a written report to the Board, which shall inform the Board as to how this chapter has been administered, and the effects thereof on the community. Such report shall include any suggestions or recommendations for reenactment, modification or repeal. Nothing contained herein shall act to prohibit the Board from enacting similar legislation after December 31, 2009. Any property tax exemption granted under the provisions of this chapter shall be permitted to continue according to the exemption schedule established pursuant to the provisions hereof, even if this chapter expires or is repealed or amended.

(b) Notwithstanding any other provisions of this chapter, this Ordinance shall remain in full force and effect conditioned upon the School District of the City of Harrisburg and the City of Harrisburg enacting similar amendments to their existing ordinances and resolutions encompassing identical deteriorated neighborhoods and deteriorated areas as those designated by the Board no later than June 30, 2005. Should the School District of the City of Harrisburg and/or the City of Harrisburg fail to enact appropriate legislation by June 30, 2005, this Ordinance shall be considered to have been repealed on June 30, 2005.

SECTION 2. ADMINISTRATION

The appropriate County officials are authorized and directed to take such actions as are necessary to effectuate this Ordinance.

SECTION 3. SURVIVAL


If any term or provision of this Ordinance or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable, the remainder of this Ordinance or the application of such terms or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Ordinance shall be valid and enforceable to the fullest extent permitted by law.

SECTION 4. REPEALER

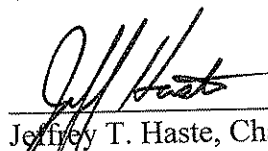
All ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

DULY ADOPTED AND ENACTED, by the Board of Commissioners of the County of Dauphin this **22nd** day of **June, 2005** in lawful session duly assembled.

ATTEST:



Chad Saylor
Chief Clerk/Chief of Staff

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF DAUPHIN


Jeffrey T. Haste, Chairman


Dominic D. DiFrancesco, II, Vice Chairman

(SEAL)


George P. Hartwick, III, Secretary