

Gilpin Township, Armstrong County, Pennsylvania

Ordinance No. ____ of 20__

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF GILPIN TOWNSHIP, ARMSTRONG COUNTY, PENNSYLVANIA, ESTABLISHING A REAL ESTATE TAX ABATEMENT SCHEDULE FOR REHABILITATION FOR CERTAIN RESIDENTIAL, INDUSTRIAL, COMMERCIAL, AND OTHER REAL PROPERTY PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE (LERTA) ACT 72, P.S. §§ 4711-101, ET SEQ.

SECTION 1. DEFINITIONS.

The following words and phrases when used in this ordinance shall have the meanings given to them in this section unless the context clearly indicates otherwise.

- A. “Abatement” means the temporary exemption from real estate taxation on the assessed value of certain improvements located on Deteriorating Property (as defined below) or in a Deteriorating Area (as defined below) according to the terms and conditions hereinafter set forth.
- B. “Board of Assessment” The Armstrong County Board of Assessment.
- C. “Supervisors” The Gilpin Township Board of Supervisors.
- D. “Deteriorated Area” means the portion of the property located within the geographical boundaries of the Township which the Supervisors of the Township determines to be physically blighted on the basis of one of the following standards:
 - a. The residential, industrial, commercial, and other buildings by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and/or social liabilities;
 - b. The residential, industrial, commercial, and other buildings are substandard or unsanitary for healthful and safe living purposes;
 - c. The residential, industrial, commercial, and other buildings are overcrowded, poorly spaced, or are so lacking in light space and air as to be conducive to unwholesome living;
 - d. The residential, industrial, commercial, and other buildings are faultily arranged, covered the land to an excessive extent or show a deleterious use of

land, or exhibit any combination of the above which is detrimental to health, safety, or welfare;

- e. A significant percentage of buildings used for residential, industrial, commercial, and all other purposes are more than 20 years of age;
- f. A substantial amount of unimproved, overgrown, and slightly vacant land exists which has remained so for a period of five years or more indicating a growth or total lack of utilization of land for residential, industrial, commercial, and other purposes;
- g. A disproportionate number or tax exempt or delinquent properties exist in the area.

E. “Deteriorated Property” Any residential, industrial, commercial, and other properties owned by an individual association or corporation, and located in a deteriorating area, as herein provided, or any such property which has been the subject of an order by a government agency requiring the unit to be vacated, condemned, or demolished by reason of noncompliance with law, ordinances, or regulations.

F. “Improvement” The repair, construction or reconstruction, including alterations or additions, having the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standard of safety, health, economic use or amenity, or is brought into compliance with laws, ordinances, or regulations governing such standards. Ordinary upkeep and maintenance shall not be deemed an improvement for purposes of this Ordinance.

G. “Improvement Area” The entire geographic area of Gilpin Township.

H. “Local Taxing Authority” Armstrong County, the Leechburg Area School District, and the Township of Gilpin.

I. “Municipal Governing Body” Gilpin Township.

J. “Redevelopment Authority” Armstrong County Redevelopment Authority.

SECTION 2. ABATEMENT.

A. The Township of Gilpin hereby approves the abatement of real property for improvements to eligible deteriorated properties pursuant to the conditions and limitations set forth herein (the “Abatement”).

- B. The Abatement shall be limited to the valuation attributable to 100% of the annual costs of the Improvement of eligible property for a period of ten (10) years.
- C. The Abatement shall only apply to the deteriorated property located in the improvement area.
- D. The Abatement shall not terminate upon the sale, transfer, or exchange of the Property.

SECTION 3. ABATEMENT AMOUNT.

The amount to be abated shall be limited to the assessment attributable to the actual cost of new construction or improvements to eligible deteriorated property in the Improvement area and shall be a percentage of the assessed value as discussed in section 4 hereof.

SECTION 4. ABATEMENT SCHEDULE.

Table A. Abatement Schedule.

First Year	100% of the assessed value of the Improvements.
Second Year	90% of the assessed value of the Improvements.
Third Year	80% of the assessed value of the Improvements.
Fourth Year	70% of the assessed value of the Improvements.
Fifth Year	60% of the assessed value of the Improvements.
Sixth Year	50% of the assessed value of the Improvements.
Seventh Year	40% of the assessed value of the Improvements.
Eighth Year	30% of the assessed value of the Improvements.
Ninth Year	20% of the assessed value of the Improvements.
Tenth Year	10% of the assessed value of the Improvements.

SECTION 5. PROCEDURE FOR OBTAINING ABATEMENT

Any person desiring an abatement of real estate taxes pursuant of this Ordinance shall notify each of the local taxing authorities of its desire to obtain the abatement by submitting a written request on the form provided by the Township of Gilpin. The form must be submitted at the time the owner secures the building permit. A copy of the abatement request form shall be forwarded to the Board of Assessment. The Board of Assessment shall, after completion of the Improvement, assess separately the Improvement and calculate the amounts of the assessment eligible for tax exemption in accordance with Section 4, hereof. The board of Assessment shall then notify the taxpayer and the local taxing authorities in writing of the reassessment and the amounts of eligible for the abatement.

SECTION 6. TERMINATION/CONTINUANCE

- A. Unless otherwise repealed by the Township of Gilpin, this Ordinance shall terminate twenty (20) years after the adoption date.
- B. Any property tax abatements granted under this Ordinance shall be permitted to continue according to the abatement schedule even if this Ordinance expires or is repealed.
- C. This Ordinance may be renewed or modified after the termination date, by resolution of the Township of Gilpin, describing the renewal modification terms.
- D. Any amendment to the Ordinance shall not apply to abatement request initiated prior to the adoption of the amendment.

SECTION 7. SEVERABILITY.

In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of Gilpin Township that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon ordination and enactment.

ORDAINED AND ENACTED by the Gilpin Township Board of Supervisors, this ____ day of _____, 20____.

Chairman

ATTEST:

Township Secretary/Treasurer