

ORDINANCE NUMBER 38, 2019

Approving Revised LERTA Programs in the City of Erie and the Erie School District"

* As Amended

WHEREAS, Erie City Council approved Ordinance Number 7, 2019 at their Regular Meeting on June 19, 2019; and

WHEREAS, the Erie School District Board of Directors approved a similar change in their LERTA Program at a Special Meeting on July 1, 2019; and

THEREFORE BE IT ENACTED by the County Council for the County of Erie pursuant to Article II, Section 3B (2) (f) of the Home Rule Charter, that revisions in the LERTA Program in the City of Erie" and the City of Erie School District, as delineated in the attached Exhibit A and B are hereby approved.

BE IT FURTHER ENACTED that the waiver of Section 4 of Erie County LERTA Ordinance 59, 1980 is hereby approved.

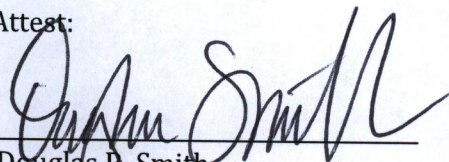
This ordinance shall be effective immediately upon adoption, repealing all inconsistent ordinances.

On the motion of Anderson, seconded by Foust, this ordinance was ENACTED AND ORDAINED this 2nd day of July, 2019 by a vote of 6 to 1.

* Exhibit B

Erie School District LERTA added

Attest:

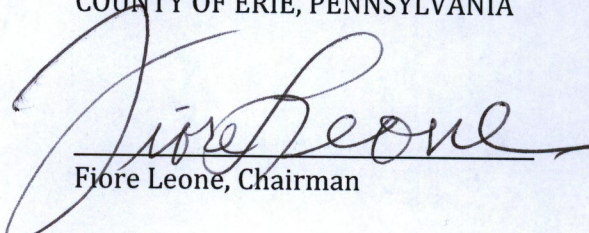


Douglas R. Smith
County Clerk

Date:

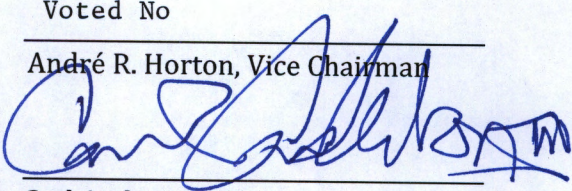
July 2, 2019

COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

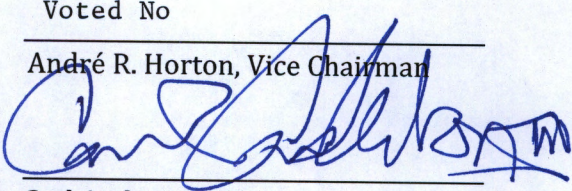


Fiore Leone, Chairman

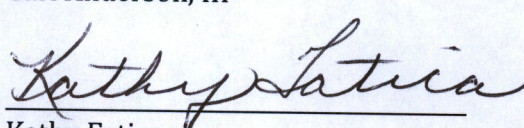
Voted No



André R. Horton, Vice Chairman



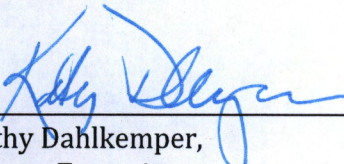
Carl Anderson, III



Kathy Fatica

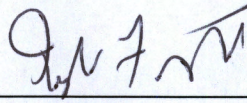
ORDINANCE NUMBER 38, 2019
Approving Revised LERTA Programs in the City of Erie and the Erie School District"

Approved by:

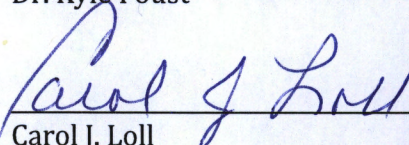


Kathy Dahlkemper,
County Executive

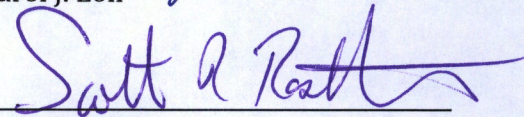
Date: 7/5/19



Dr. Kyle Foust



Carol J. Loll



Scott R. Rastetter

WHEREAS, the proposed LERTA/IDRPA will promote and stimulate New Construction and Improvements in all of the zoning districts within the City.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE, PENNSYLVANIA:

Section 1. that Article 381 be amended and restated in its entirety as follows:

Local Economic Revitalization Tax Assistance Act (LERTA) and Improvement of Deteriorating Real Property or Areas Of Tax Exemption Act (IDRPA)

381.01 Definitions

381.02 Exemption

381.03 Maximum Exemption

381.04 Exemption Schedule

381.05 Procedure For Obtaining Exemption

381.06 Program Review

381.07 Sunset Provision

381.01 DEFINITIONS

As used in this Article, certain terms are defined as follows:

"Deteriorating Area" - All property (including Industrial, Commercial, Business, and Residential) within the City of Erie.

"Improvement" - Repair, construction or reconstruction, including alterations or additions, having the effect of rehabilitating property in a Deteriorating Area, so that it becomes habitable or attains higher standards 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.

"New Construction" - The building or erection of any Industrial, Commercial, Business, or Residential structure upon vacant land or land specifically prepared to receive such structures.

381.02 EXEMPTION

There is hereby exempted from all property taxation the assessed valuation of:

(a) Improvement to all properties in the City of Erie where, on or before July 31, 2024, the applicant/property owner submits an application for tax exemption to the City at the time the applicant/property owner secures the building permit.

EXHIBIT A

under Title Seven of the Codified Ordinances of the City of Erie, Pennsylvania, Article 381, Business Regulation and Taxation Code by providing for a real estate exemption for all New Construction and Improvements in all zoning classifications within the limits of the City of Erie.

WHEREAS, the Commonwealth of Pennsylvania adopted an Act known as the "Local Economic Revitalization Tax Assistance Act, 72 P.S. Section 4722, et seq. ("LERTA") authorizing local taxing authorities to offer a tax abatement on the assessed value of New Construction and Improvements to Industrial, Commercial and Business properties in deteriorating areas, for a period not to exceed ten (10) years;

WHEREAS, the Commonwealth of Pennsylvania adopted an Act known as the Improvement of Deteriorating Real Property or Areas of Tax Exemption Act, 72 P.S. Section 4711-101, et seq. ("IDRPA"), authorizing local taxing authorities to offer a tax abatement on the assessed value of New Construction and Improvements to Residential properties in deteriorating areas, for a period not to exceed ten (10) years;

WHEREAS, City Council authorized and directed the Solicitor to prepare an amendment to the City of Erie Ordinance No. 60-1978, and amendments thereto, to provide for an exemption period of up to ten (10) years for all New Construction and Improvements within the limits of the City of Erie between the effective date of this Ordinance and July 31, 2024, as authorized by LERTA and IDRPA;

WHEREAS, on May 30, 2019, Erie City Council held a public hearing with members of Erie County Council and the Erie School District, and received input from the residents of the City of Erie and Erie County regarding this proposed Ordinance;

WHEREAS, on June 12, 2019, Erie City Council and the Erie School District held a joint public hearing with the Erie School District and representatives of Erie County, and received input from residents of the City of Erie and Erie County regarding this proposed Ordinance;

WHEREAS, on June 13, 2019, Erie City Council held a public study session to discuss the proposed Ordinance. In attendance were representatives of Erie County Council, the Erie Redevelopment Authority and residents of the City of Erie and Erie County;

WHEREAS, after these hearings, and in accordance with §4725 of LERTA and §4711-202(a) of IDRPA, City Council has determined the boundaries of deteriorated areas within its jurisdiction to be the entire city limits including all properties within the City of Erie;

WHEREAS, the City of Erie has suffered a continued population decline over the last fifty (50) years;

WHEREAS, business development and the housing stock in the City of Erie have declined significantly as evidenced by significant increases in blighted and vacant properties in the City of Erie;

WHEREAS, tax revenues from Industrial, Commercial, Business, and Residential properties have remained flat or declined over the last thirty (30) years; and

(c) In order to be eligible for the exemption, the applicant/property owner must be current on all real estate taxes owed on all properties he/she/it owns in the County of Erie;

(d) In all cases, the exemption from taxes should be limited to that portion of the additional assessment attributable to the Improvement or New Construction, as the case may be, and for which a separate assessment has been made by the County Bureau of Assessment and for which an exemption has been separately requested. No tax exemption shall be granted if the property owner does not secure the necessary and proper permits prior to improving the property. No tax exemption shall be granted if the Improvement or New Construction as completed does not comply with the minimum standards of the applicable construction codes; and

(e) In any case after the effective date of the section where property is damaged, destroyed or demolished, by any cause or for any reason, and the assessed valuation of the property affected has been reduced as a result of such damage, destruction or demolition, the exemption from real property taxation authorized by this Article shall be limited to that portion of new assessment attributable to the actual cost of improvements or construction that is in excess of the original assessment that existed prior to damage, destruction or demolition of the property. In the event that the property has been fully demolished by demolition permit and has remained vacant of any structure after the expiration of one year from the issue of the permit, then the assessed value of the demolished improvements shall thereafter not be subject to taxation.

381.04 EXEMPTION SCHEDULE

(a) The schedules for real estate taxes to be exempted shall be as follows:

(1) New Construction and Improvements made to all Industrial, Commercial and Business properties in the City of Erie shall be eligible for an exemption of real property taxes pursuant to the following schedule:

Year	Exemption Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%
7	100%
8	100%
9	100%
10	100%

(2) New Construction and Improvements made to all Residential properties in the City of Erie shall be eligible for an exemption of real property taxes pursuant to the following schedule:

Year	Exemption Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%
7	100%
8	100%
9	100%
10	100%

(b) The exemption from taxes granted under this Article shall be upon the property and shall not terminate upon the sale or exchange of the property.

(c) If an eligible property is granted tax exemption pursuant to this Article, the Improvement/New Construction shall not, during the exemption, be considered as a factor in assessing other properties.

381.05 PROCEDURE FOR OBTAINING EXEMPTION

(a) Any person or entity desiring tax exemption pursuant to this Article must apply to the City at the time a building permit is secured for construction of the Improvement or New Construction, as the case may be. The application must be in writing upon forms specified by the City and provide, at a minimum, the following:

- (1) The date of application for the building permit for such Improvement/New Construction;
- (2) The location of the property to be improved/newly constructed;
- (3) The nature of the property to be improved/newly constructed;
- (4) The type of Improvements/New Construction (Industrial, Commercial, Business or Residential);
- (5) The summary of the plan of the Improvements/New Construction;
- (6) The cost of the Improvements/New Construction;
- (7) Whether the property has been condemned by any governmental body for non-compliance to laws or ordinances;
- (8) Proof that the applicant/property owner is current on all real estate taxes owed on all properties he/she/it owns in the County of Erie; and

(d) A copy of the exemption application and proof of payment of any application fee shall be forwarded to the County Bureau of Assessment by the Building Inspector's Office. The Bureau shall process the application and shall, thereafter, confirm that the Improvements/New Construction comply with all applicable Building and Housing Codes. The Treasurer shall keep a separate list of all such exempted properties, and upon receipt of the assessments for each property from the Bureau, the Treasurer shall see to it that each such exempted property is credited with its proper exemption as against the County Assessment figure.

381.06 PROGRAM REVIEW

(a) No later than October 1, 2021 the County Assessment Office shall provide to the City, County and School District a report containing, at a minimum, the following:

(1) The total number of building permits applied for that are LERTA/IDRPA eligible between the effective date of this Ordinance and July 31, 2021;

(2) The total estimated assessed value of all new construction anticipated on building permits secured between the effective date of this Ordinance and July 31, 2021, as if the construction is completed (the "Value of Total New Development"); and

(3) Any other information the County Assessment Office would deem necessary to assist the taxing bodies in determining the effect on the anticipated assessed value of property within the City as a result of this tax abatement.

(b) In the event the Value of Total New Development is less than \$20,000,000, the taxing bodies shall convene a joint committee meeting to consider repealing this Ordinance due to the failure to attract a necessary minimum level of development.

(1) In the event this Ordinance is repealed at any time and, for any reason, any tax abatements applied for prior to adoption of a repealer shall be honored so long as the applications meet the requirements as they existed on the date of application.

381.07 SUNSET PROVISION

Any applicant/property owner seeking tax exemption under this Article must submit an application for tax exemption to the City at the time the applicant/property owner secures the building permit. The application must be submitted on or before the 31st Day of July, 2024. Eligibility for tax exemption under this Article shall expire on the 31st Day of July 2024.

Section 2. That all ordinances and parts thereof in conflict herewith are hereby repealed.

Section 3. That this Ordinance shall be effective upon passage and signing by the Mayor.

We do hereby certify that the above Ordinance was finally passed by the City Council on the 19th day of June, 2019.

Attest: June 19, 2019

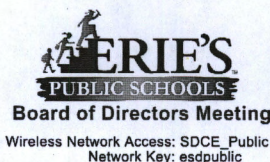
June 19, 2019 Signed

Rosanna Boyer
City Clerk

James F. Kinarede
President of Council

THIS ORDINANCE APPROVED THIS 21st DAY OF June, 2019.

Greg W. Schenck
Mayor



Agenda at www.eriesd.org/board (select Public Access)

For more information please contact the Board Office.

Agenda Item Details

Meeting	Jul 01, 2019 - Special Board Meeting
Category	3. New Business - School District (Roll Call). That the following recommendation of the Superintendent be approved:
Subject	3.01 Adoption of the City of Erie Local Economic Revitalization Tax Assistance (LERTA) and Improvement of Deteriorating Real Property or Areas Tax Exemption Programs.
Type	Action
Recommended Action	The Board of School Directors of the School District of the City of Erie approves the Resolution, electronically attached to this agenda, adopting the City of Erie Local Economic Revitalization Tax Assistance (LERTA) and Improvement of Deteriorating Real Property or Areas Tax Exemption Programs, as amended by the Board of School Directors.

The Board of School Directors of the School District of the City of Erie approves the Resolution, electronically attached to this agenda, adopting the City of Erie Local Economic Revitalization Tax Assistance (LERTA) and Improvement of Deteriorating Real Property or Areas Tax Exemption Programs, as amended by the Board of School Directors.

Signed.ESD 2019 LERTA RESOLUTION.DOCS #2070898-v1.pdf (2,562 KB)

ESD 2019 LERTA RESOLUTION.DOCS #2070898-v1.pdf (2,373 KB)

Motion & Voting

The Board of School Directors of the School District of the City of Erie approves the Resolution, electronically attached to this agenda, adopting the City of Erie Local Economic Revitalization Tax Assistance (LERTA) and Improvement of Deteriorating Real Property or Areas Tax Exemption Programs, as amended by the Board of School Directors.

Motion by John Harkins, second by Tom Spagel.

Final Resolution: Motion Carries

Yea: Tom Spagel, Robbie Fabrizi, Darlene Feeney, John Harkins, Frank Petrungar Jr

Nay: Tyler Titus, Angela McNair

For more information please contact the Board Office.

EXHIBIT B

SCHOOL DISTRICT OF THE CITY OF ERIE

ADOPTION OF THE CITY OF ERIE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE AND IMPROVEMENT OF DETERIORATING REAL PROPERTY OR AREAS TAX EXEMPTION PROGRAMS

WHEREAS, the Commonwealth of Pennsylvania adopted an Act known as the "Local Economic Revitalization Tax Assistance Act, 72 P.S. Section 4722, et seq. ("LERTA") authorizing local taxing authorities to offer a tax abatement on the assessed value of New Construction and Improvements to Industrial, Commercial and Business properties in deteriorating areas, for a period not to exceed ten (10) years;

WHEREAS, the Commonwealth of Pennsylvania adopted an Act known as the Improvement of Deteriorating Real Property or Areas Tax Exemption Act, 72 P.S. Section 4711-101, et seq. ("IDRPA"), authorizing local taxing authorities to offer a tax abatement on the assessed value of New Construction and Improvements to Residential properties in deteriorating areas, for a period not to exceed ten (10) years;

WHEREAS, the Board of School Directors of the School District of the City of Erie previously adopted the City of Erie's prior Local Economic Revitalization Tax Assistance ("LERTA") and Residential Investment Opportunity Tax Exemption ("RIO") Programs on October 10, 2012 which were codified at City of Erie Ordinance No. 60-1978, as amended (the "Prior LERTA Program"); and

WHEREAS, on June 19, 2019, the City Council of the City of Erie approved Ordinance No. 37-2019 amending the Prior LERTA Program through creating a new LERTA and IDRPA Program (collectively, the "City LERTA Program") which established a 100% abatement on the assessed value of new construction and improvements for ten (10) years for new construction and improvements to residential, industrial, commercial and business properties within the entire City; and

WHEREAS, on May 30, 2019, the Board of School Directors participated in a public hearing with Erie City Council and Erie County Council members on the proposed City LERTA Program; and

WHEREAS, on June 12, 2019, the Board of School Directors participated in a public hearing with members of the Erie City Council and representatives of Erie County on the proposed City LERTA Program; and

WHEREAS, the Board of School Directors have been reviewing the progress and development of the proposed City LERTA Program for at least the last fifteen (15) months; and

WHEREAS, the Board of School Directors have discussed the City LERTA Program, and its various iterations, at numerous public meetings in the last fifteen (15) months, and the matter has been analyzed by the School District's financial advisor and consultants from Public Financial Management ("PFM"); and

WHEREAS, PFM has determined that the School District is projected to benefit financially through participation in the City LERTA Program through offering a ten (10) year 80% abatement of property taxes associated with the increase in assessed value due to new construction and improvements made to all Industrial, Commercial and Business properties in the City of Erie, and a ten (10) year 100% abatement of property taxes associated with the increase in assessed value due to new construction and improvements made to all Residential properties in the City of Erie; and

WHEREAS, as part of the review process, the Board of School Directors and the Superintendent requested that the proposed City LERTA Program include a mandatory two (2) year review to ensure that the City LERTA Program is producing the desired financial impact, and the City approved the City LERTA Program with the review policy as suggested; and

WHEREAS, the Board of School Directors believes that the City, School District and County tax base will benefit from the adoption of the City LERTA Program, and that the School District is financially able to participate in the City LERTA Program through approving the City LERTA Program utilizing schedule of benefits listed below.

AND NOW, THEREFORE, on this 1st day of July 2019, **BE IT HEREBY RESOLVED** by the Board of Directors of the School District of the City of Erie, the following:

1. **Recitals.** That the above recitals are incorporated as if more fully set forth herein.
2. **Adoption of City LERTA Program.** That the School District of the City of Erie hereby approves and adopts the City LERTA Program, as is attached hereto as Exhibit A, in its entirety, with the exception that the schedule of abatements approved by the School District are as follows:

EXEMPTION SCHEDULE

- (a) The schedules for real estate taxes to be exempted shall be as follows:
 - (i) New Construction and Improvements made to all Industrial, Commercial and Business properties in the City of Erie shall be eligible for an exemption of real property taxes pursuant to the following schedule:

Year	Exemption Percentage
1	80%
2	80%
3	80%
4	80%
5	80%
6	80%
7	80%
8	80%

EXHIBIT B

9	80%
10	80%

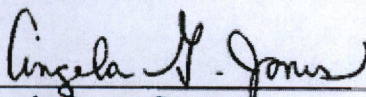
- (ii) New Construction and Improvements made to all Residential properties in the City of Erie shall be eligible for an exemption of real property taxes pursuant to the following schedule:

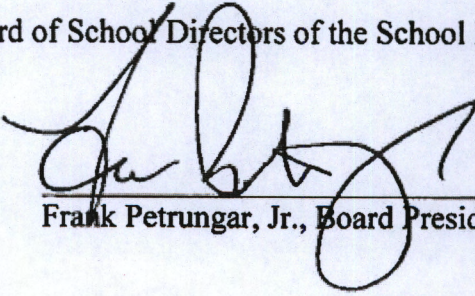
Year	Exemption Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%
7	100%
8	100%
9	100%
10	100%

(b) The exemption from taxes granted under this Article shall be upon the property and shall not terminate upon the sale or exchange of the property.

(c) If an eligible property is granted tax exemption pursuant to this Article, the Improvement/New Construction shall not, during the exemption, be considered as a factor in assessing other properties.

APPROVED by a majority of the Board of School Directors of the School District of the City of Erie on the date first indicated above.


Angela Jones, Secretary


Frank Petrunger, Jr., Board President

2070898.v1

EXHIBIT B

MOTION TO AMEND ORDINANCE NUMBER 38, 2019

*Approving revised LERTA Ordinance of the City of Erie and
the Erie School District*

Moved to amend Ordinance Number 7, 2019 by approving the City of Erie's revised LERTA Ordinance Number 7, 2019 as follows:

Section 381.02(b) Provided, to be eligible for the tax exemption provided hereunder, the applicant/property owner/developer of any improvement or new construction which exceeds the sum of \$750,000.00, shall agree to negotiate in good faith with an organized coalition of community leaders and the City of Erie to implement a reasonable community benefits agreement intended to encourage community support for the project and to ensure the project's contributions to the community including, without limitation, hiring, wages, mixed income housing and other economic activity from and within the vicinity of the project.

On the motion of Horton, there was no second. The motion failed, on this 2nd day of July, 2019.

ORDINANCE NUMBER 59, 1980

AN ORDINANCE PROVIDING FOR REAL ESTATE TAX EXEMPTION FOR IMPROVEMENTS TO
DETERIORATED PROPERTY, BOTH RESIDENTIAL AND COMMERCIAL, IN A DETERIORATED AREA/
NEIGHBORHOOD PURSUANT TO PENNSYLVANIA ACT NUMBER 34, ACT NUMBER 42 AND ACT NUMBER 76.

- WHEREAS, On July 9, 1971, Act Number 34 authorizing the exemption from tax of certain improvements to deteriorated dwellings was duly approved by the Governor of the Commonwealth of Pennsylvania; and
- WHEREAS, On August 5, 1977, Act Number 42 amended Act Number 34 to additionally authorize the exemption from tax of new residential structures located in a deteriorating area was approved by the Governor of the Commonwealth of Pennsylvania; and
- WHEREAS, On December 1, 1977, Act Number 76 authorizing the exemption from tax of certain improvements to deteriorated commercial structures was duly approved by the Governor of the Commonwealth of Pennsylvania; and
- WHEREAS, In accordance with said Acts a public hearing was held to determine the boundaries of Investment Opportunity Areas within the County of Erie and boundaries of Investment Opportunity Areas within the County of Erie,

NOW THEREFORE, be it enacted by the County Council of the County of Erie as follows:

Section 1. Definitions

- (a) "Deteriorated Commercial Property" means any industrial, commercial, or other business property owned by an individual, association or corporation and located in a deteriorating area, as hereinafter 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 non-compliance with laws, ordinances or regulations.
- (b) "Deteriorated Residential Property" means a dwelling unit located in a deteriorated neighborhood, as hereinafter provided, or any such dwelling unit which has been, or upon request, is certified by a health, housing or building inspection agency as unfit for human habitation, for rent withholding, or other health or welfare purposes, or has been the subject of an order by such an agency requiring the unit to be vacated, condemned or demolished by reason of non-compliance with the laws, ordinance or regulations.
- (c) "Dwelling Unit" means a house, double house or duplex, townhouse or row house, apartment, or any building intended for occupancy as living quarters by an individual, a family or families or other groups of persons, which living quarters contain a kitchen or other cooking equipment for the exclusive use of the occupant or occupants.

(d) "Improvement." Repair, construction or reconstruction, including alterations and additions, having the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standards 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.

(e) "New Residential Construction" means the building or erection of dwelling units, as defined above, upon vacant land or land specifically prepared to receive such structures after the effective date of this Ordinance.

(f) "Deteriorated Area and/or Deteriorated Neighborhood" means the area or areas designated by Erie County Council at any public hearing held for the purpose of so designating an area or areas as follows:

Area Number One "Beginning at a point on the center line of Cranberry Street intersecting with the center line of West 26th Street;

thence

East along the center line of West 26th Street and East 26th Street to a point intersecting with the center line of Elm Street;

thence

North along the center line of Elm Street to a point intersecting with the center line of Buffalo Road;

thence

East along the center line of Buffalo Road to a point intersecting with the center line of Downing Avenue;

thence

North along the center line of Downing Avenue to a point intersecting with the center line of East 12th Street;

thence

West along the center line of East 12th Street to a point intersecting with the center line of East Avenue;

thence

North along the center line of East Avenue to a point intersecting with the North City Line;

thence

West along the North City Line to a point intersecting with the center line of Cranberry Street; if extended;

thence

South along the center line of Cranberry Street; if extended, to a point intersecting with the center line of West 12th Street;

thence

West along the center line of West 12th Street to a point intersecting with the center line of Greengarden Road;

thence

South along the center line of Greengarden Road to a point intersecting with the center line of the Norfolk and Western Railroad;

thence

East along the center line of the Norfolk and Western Railroad to a point intersecting with the center line of Penn Avenue;

thence

South along the center line of Baur Avenue, if extended, to a point intersecting with the center line of West 20th Street;

thence

East along the center line of West 20th Street to a point intersecting with the center line of Cranberry Street;

thence

South along the center line of Cranberry Street to a point intersecting with the center line of West 26th Street and being the point of beginning.

Section 2. Exemption

There is hereby exempted from all property taxation the assessed valuation of improvements to deteriorated commercial and residential properties and the assessed valuation of new residential construction, in accordance with the provisions and limitations as hereinafter provided.

Section 3. Maximum Exemption

(a) The exemption from real property taxes shall be limited as follows:

1. Deteriorated Commercial Property: To that portion of the additional assessment attributed to the actual cost of improvements.
2. New Residential Construction: To that portion of the additional assessment attributed to the actual cost of construction, but not in excess of the maximum cost per dwelling unit as specified in sub-section (b) of this section.
3. Deteriorated Residential Property: To that portion of the additional assessment attributed to the actual cost of improvement but not in excess of the maximum cost per dwelling unit as specified in sub-section (b) of this section.

(b) The maximum cost per dwelling unit eligible for exemption shall be Fifteen Thousand Nine Hundred Thirty-Six Dollars (\$15,936.00) per dwelling unit on the assessment attributable to the actual cost of improvements constructed during 1978 and Fifty Thousand Dollars (\$50,000.00) per dwelling unit on the assessment attributable to the actual cost of new construction constructed after the effective date of this Ordinance. Maximum cost for improvements constructed during each year thereafter shall be the maximum cost for the preceding year multiplied by the ratio of the United States Bureau of the Census new one-family houses price index for the current year to such index for the preceding year. The date of the construction shall be the date of issuance of the building permit, improvement record or other required notification of construction. No tax exemption shall be granted under the provisions of this article for any improvements to any dwelling unit in excess of the maximum cost specified above. This limitation shall not apply to non-residential, industrial, commercial or other business properties which are eligible for exemption under this Ordinance.

(c) After the effective date of this Ordinance, where deteriorated commercial or residential property is damaged, destroyed or demolished, by any cause or for any reason, and the assessed valuation of the property affected has been reduced as a result of the said damage, destruction or demolition, the exemption from real property taxation authorized by this Ordinance shall be abated in proportion to the percentage of the damage, destruction or demolition.

(d) No tax exemption shall be granted if the property owner does not secure the necessary and proper permits prior to improving the property. No tax exemption shall be granted if the property as completed does not comply with the minimum standards of the Housing and Building Codes of the City of Erie.

Section 4. Exemption Schedules

(a) The schedules for real estate taxes to be exempted shall be as follows:

1. Deteriorated Commercial Property: For the first five (5) years during which the improvement becomes assessable, 100% of the eligible assessment shall be exempted.
2. New Residential Construction: For the first three (3) years during which the improvement becomes assessable, 100% of the eligible assessment shall be exempted.
3. Deteriorated Residential Property: For the first five (5) years during which the improvement becomes assessable, the following shall apply:

First year-----	100% exemption
Second year-----	80% exemption
Third year-----	60% exemption
Fourth year-----	40% exemption
Fifth year-----	20% exemption

(b) The exemption shall commence in the tax year immediately following the year in which the building permit is issued.

(c) The exemption from taxes granted under this Ordinance shall be upon the property and shall not terminate upon the sale or exchange of the property.

(d) If an eligible property is granted tax exemption pursuant to the Ordinance, the improvement shall not, during the exemption period, be considered as a factor in assessing other properties.

Section 5. Procedure for Obtaining Exemption

The County Executive shall develop the guidelines and procedures to implement this Ordinance within 60 days of its adoption.

Section 6. Exclusion

This Ordinance and the exemptions granted herein shall not apply to properties which are, according to the municipality in which the properties are located, non-conforming uses.

Section 7. Effective Date

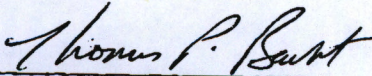
This Ordinance shall become effective sixty (60) days from the final passage and approval by the County Executive

Section 8. Repealer

All Ordinances or parts thereof conflicting herewith are hereby repealed.

COUNTY COUNCIL OF THE COUNTY
OF ERIE, PENNSYLVANIA

ATTEST:

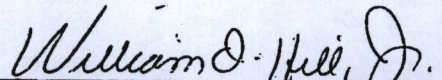

THOMAS P. BECHT
County Clerk

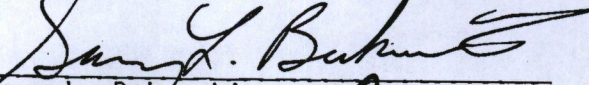
dated: 12/12/80

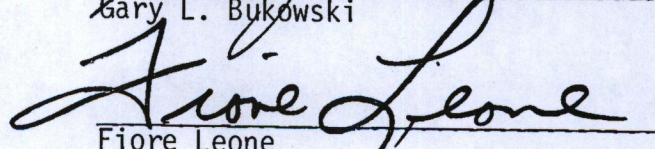
APPROVED BY:

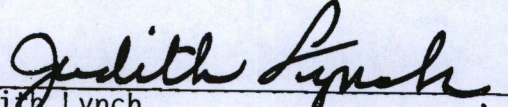

RUSSELL D. ROBISON
County Executive

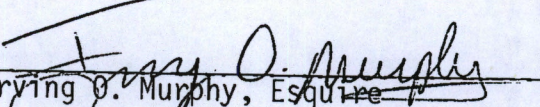
dated: 12/12/80

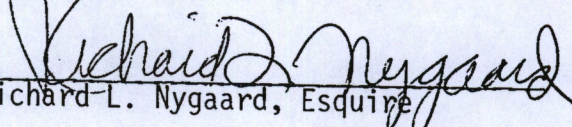

William O. Hill, Jr., Chairman

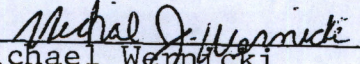

Gary L. Bukowski


Fiore Leone


Judith Lynch


Irving O. Murphy, Esquire


Richard L. Nygaard, Esquire


Michael Wernicki