

*No. 10-17-OR*

**AN ORDINANCE**

An Ordinance of the Council of Allegheny County, Pennsylvania amending Ordinance No. 23636, as previously amended, to expand the boundaries of a certain geographic area within Moon Township known as the Thorn Run Transportation Development District, previously determined to be a “Deteriorating Area” under the Local Economic Revitalization Tax Assistance Act, and to extend the time period during which any owner of a property within the Deteriorating Area may apply to and receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction or the improvements made to the property to April 29, 2026.

**Whereas**, Pennsylvania’s Local Economic Revitalization Tax Assistance Act, Pa. Stat. Ann. tit. 72, § 4722 *et seq.*, (1995), as amended, (hereinafter referred to as “LERTA”) authorizes local taxing authorities to enact a program whereby any increases in the assessed valuation of real property for the assessment and levying of real property taxes that is attributable to construction, reconstruction, or improvements made by the owner of an industrial, commercial, and other business property located within the geographic confines of a local taxing authority area determined to be a deteriorating area can be temporarily exempted based upon a schedule establishing the portion of the assessed valuation of the construction, reconstruction, or improvements to be exempted within a particular year after the construction, reconstruction, or improvements have been made; and

**Whereas**, on October 15, 1987, the then-Board of Commissioners of Allegheny County enacted an ordinance designated as Ordinance No. 23636, hereinafter “the Ordinance,” establishing a LERTA program providing for temporary exemption from County real estate taxes due to increases in assessed valuation resulting from construction, reconstruction, or improvements made to industrial, commercial, and other business property located within the boundaries of a certain geographic area of Moon Township known as the Thorn Run Transportation Development District, hereinafter “the Transportation Development District;” and

**Whereas**, the Ordinance, as well as similar LERTA legislation enacted in 1987 by Moon Township, hereinafter “the Township,” and the Moon Area School District, hereinafter “the School District,” have been utilized by the Moon Transportation Authority, hereinafter “the MTA,” to fund various transportation infrastructure projects within the Transportation Development District; and

**Whereas**, the MTA’s transportation infrastructure projects within the Transportation

Development District have spurred significant economic development within and around the Transportation Development District resulting in increased tax revenue to the County, Township, and School District; and

**Whereas**, the Ordinance has been amended on several occasions, most recently, by Ordinance No. 25-07-OR enacted by this Council on June 19, 2007, in order to extend the term of Ordinance to December 31, 2021; and

**Whereas**, the MTA is desirous of expanding its roadway development program undertaken pursuant to the LERTA legislation enacted by the County, Township and School District to enable further development within currently undeveloped and/or underdeveloped areas adjacent to the existing Transportation Development District by upgrading the intersection of Ewing Road and Cherrington Parkway to handle greater traffic volume and by extending Port Vue Drive to Stevenson Mill Road to complete the Business Route I-376 parallel arterial (the Stevenson Mill Road Extension); and

**Whereas**, the additions to the Transportation Development District of largely undeveloped and/or underdeveloped land immediately to the south (across Ewing Road) and to the northwest (along Rouser Road and Port Vue Drive, across University Boulevard and along Stevenson Mill Road and Moon Clinton Road to Becks Run Road) will permit the two above-referenced projects to proceed, thus stimulating significant new commercial development and enhancing the tax bases of the County, Township and the School District; and

**Whereas**, the completion of the two above-referenced projects, including their funding, requires that the Ordinance, as amended, be amended as follows: (1) to expand the geographic area of the Transportation Development District to make more industrial, commercial, and other business properties potentially eligible to receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction, or the improvements made to the property within the Transportation Development District and (2) to extend the time period during which any owner of a property within the expanded Transportation Development District may apply to and receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction, or the improvements made to the property to April 29, 2026; and

**Whereas**, the Township and the School District have amended their respective LERTA ordinance/resolution to provide for an expansion of the geographic area of the Transportation Development District to make more industrial, commercial, and other business properties potentially eligible to receive a temporary exemption from increases in Township and School District real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction, or the improvements made to the property within the Transportation Development District and to extend the term of their respective LERTA programs to April 29, 2026; and

**Whereas**, County Council finds that the amendment of the Ordinance in order to: (1) to expand the geographic area of the Transportation Development District to make more industrial,

commercial, and other business properties potentially eligible to receive the County's temporary exemption of real estate taxes due to increases in assessed valuation resulting from construction, reconstruction, or improvements and (2) to extend the time period during which any owner of a property within the expanded Transportation Development District may apply to and receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction or the improvements made to the property to April 29, 2026 would contribute to the general welfare of the citizens of Allegheny County by spurring economic activity and development.

***The Council of the County of Allegheny hereby enacts as follows:***

***SECTION 1. Incorporation of the Preamble.***

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

***SECTION 2. Expansion of Boundaries of Deteriorating Area Constituting The Transportation Development District.***

- A. Section 2 of the Ordinance entitled "BOUNDARIES" is deleted in its entirety and the following is substituted in its place:

**SECTION 2. BOUNDARIES**

Inasmuch as the Board of Supervisors of Moon Township and the School Board of the Moon Area School District, pursuant to public hearing, have determined that a specific area of Moon Township constitutes a "Deteriorated Area" within the purview of LERTA, County Council does hereby determine as a fact that the industrial, commercial, and other business property located within the geographic area or region within Moon Township, as bounded and described in the document attached hereto and marked as "Amended Exhibit A," which has been expanded from its original configuration to include the additional parcels of land specifically listed on the document attached hereto and marked as "Exhibit A-1," satisfy the criteria set forth in Section 4725 of LERTA and collectively constitute a "Deteriorating Area" for purposes of this Ordinance.

- B. Section 3 of the Ordinance entitled EXEMPTION is amended in part to provide that all references herein to Exhibit A shall now refer to "Amended Exhibit A."

***SECTION 3. Term of Ordinance Extended to April 29, 2026.***

Subsection (1) of Section 13 of the Ordinance entitled EFFECTIVE DATE is deleted in its entirety and the following is substituted in its place:

**SECTION 13. EFFECTIVE DATE**

(1) The provisions of this Ordinance shall become effective on January 1, 1987 and shall impact upon all property within the Deteriorating Area as described in “Amended Exhibit A” for which building permits are issued after the aforementioned effective date; provided however, that any taxpayer who shall have applied for and received a building permit from the Township during the calendar year beginning January 1, 1986, and who shall furnish satisfactory evidence of such issuance or proof of completion of construction, reconstruction or improvement to the Board no later than December 31, 1987, shall be entitled to receive an exemption from County real estate taxes for the term equal to the term of the exemption previously granted under the Ordinance of the Township and the Resolution of the School District remaining on January 1, 1988. This Ordinance shall continue in effect until April 29, 2026; provided however, that in the event that a building permit for eligible “construction,” “reconstruction,” and “improvement” issued prior to April 29, 2026, the property for which a building permit was so issued shall be eligible for an exemption in accordance with the Ordinance as long as the contribution of the exemption is being used for MTA transportation infrastructure projects authorized by the County, Township and School District.

***SECTION 4. Other Terms and Conditions Unaffected.***

All other terms and conditions set forth in the Ordinance, as previously amended, shall remain in full force and effect.

***SECTION 5. Necessary Implementing Agreements Authorized.***

If required, the proper officials of the County are hereby authorized to enter into any and all necessary agreements with the Township and the School District to implement or carry out the provisions and purposes of this Ordinance, including but not limited to, any

intergovernmental cooperation agreement pursuant to the Intergovernmental Cooperation Act, 53 P.C.S.A. § 2301 *et seq.* All agreements, including any intergovernmental cooperation agreement, shall be subject to review and approval as to form by the County Solicitor.

**SECTION 6.        *Effective Date.***

*This Ordinance will enter into effect immediately, upon approval by the Chief Executive.*

**SECTION 7.        Severability.** *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

**SECTION 8.        Repealer.** *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

Enacted in Council, this 23<sup>rd</sup> day of May, 2017


Council Agenda No. 10087-17

  
\_\_\_\_\_  
John DeFazio  
President of Council

Attest:   
\_\_\_\_\_  
Jared Barker  
Chief Clerk of Council

Chief Executive Office May 25, 2017

Approved:   
\_\_\_\_\_  
Rich Fitzgerald  
County Executive

Attest:   
\_\_\_\_\_  
Sonya Dietz  
Executive's Secretary

SUMMARY OF LEGISLATION  
TO AMEND COUNTY ORDINANCE NO. 23636, AS AMENDED,  
THORN RUN TRANSPORTATION DEVELOPMENT DISTRICT LERTA ORDINANCE  
SUBMITTED FOR COUNCIL MEETING FEBRUARY 21, 2017

On October 15, 1987, the then-Board of Commissioners of Allegheny County enacted Ordinance No. 23636 establishing a LERTA program providing for temporary exemption from County real estate taxes due to increases in assessed valuation resulting from construction, reconstruction, or improvements made to industrial, commercial, and other business property located within the boundaries of a certain geographic area of Moon Township known as the Thorn Run Transportation Development District, hereinafter “the Transportation Development District.” Ordinance No. 23636, as well as similar LERTA legislation enacted in 1987 by Moon Township and the Moon Area School District, has been utilized by the Moon Transportation Authority, hereinafter “the MTA,” to fund various transportation infrastructure projects within the Transportation Development District. These transportation infrastructure projects within the Transportation Development District have spurred significant economic development within and around the Transportation Development District resulting in increased tax revenue to the County, Township, and School District. Due to the success of the combined LERTA legislation enacted by the three taxing bodies, County Council passed Ordinance No. 25-07-OR on June 19, 2007 in order to extend the term of Ordinance No. 23636 to December 31, 2021

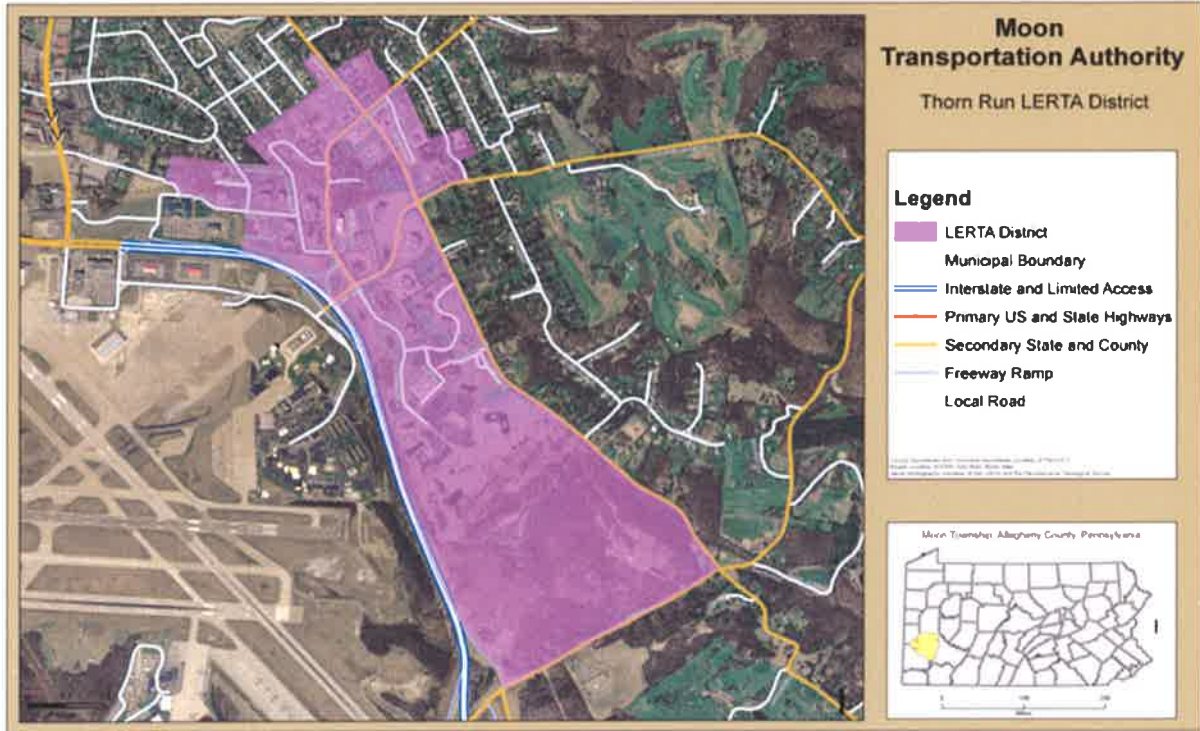
The MTA is desirous of expanding its roadway development program undertaken pursuant to the LERTA legislation enacted by the County, Township, and School District to enable further development within currently undeveloped and/or underdeveloped areas adjacent to the existing Transportation Development District by upgrading the intersection of Ewing Road and Cherrington Parkway to handle greater traffic volume and by extending Port Vue Drive to Stevenson Mill Road to complete the Business Route I-376 parallel arterial (the Stevenson Mill Road Extension). The additions to the Transportation Development District of largely undeveloped and/or underdeveloped land immediately to the south (across Ewing Road) and to the northwest (along Rouser Road and Port Vue Drive, across University Boulevard and along Stevenson Mill Road and Moon Clinton Road to Becks Run Road) will permit the two above-referenced projects to proceed, thus stimulating significant new commercial development and enhancing the tax bases of the County, Township, and the School District.

To complete the two above-referenced projects, including their funding, the Department of Economic Development requests that County Council again amend Ordinance No 23636: (1) to expand the geographic area of the Transportation Development District to make more industrial, commercial, and other business properties potentially eligible to receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction or the improvements made to the property within the Transportation Development District and (2) to extend the time period during which any owner of a property within the expanded Transportation Development District may apply to and receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction, or the improvements made to the property to April 29, 2026.

Amended Exhibit A  
LERTA District Maps



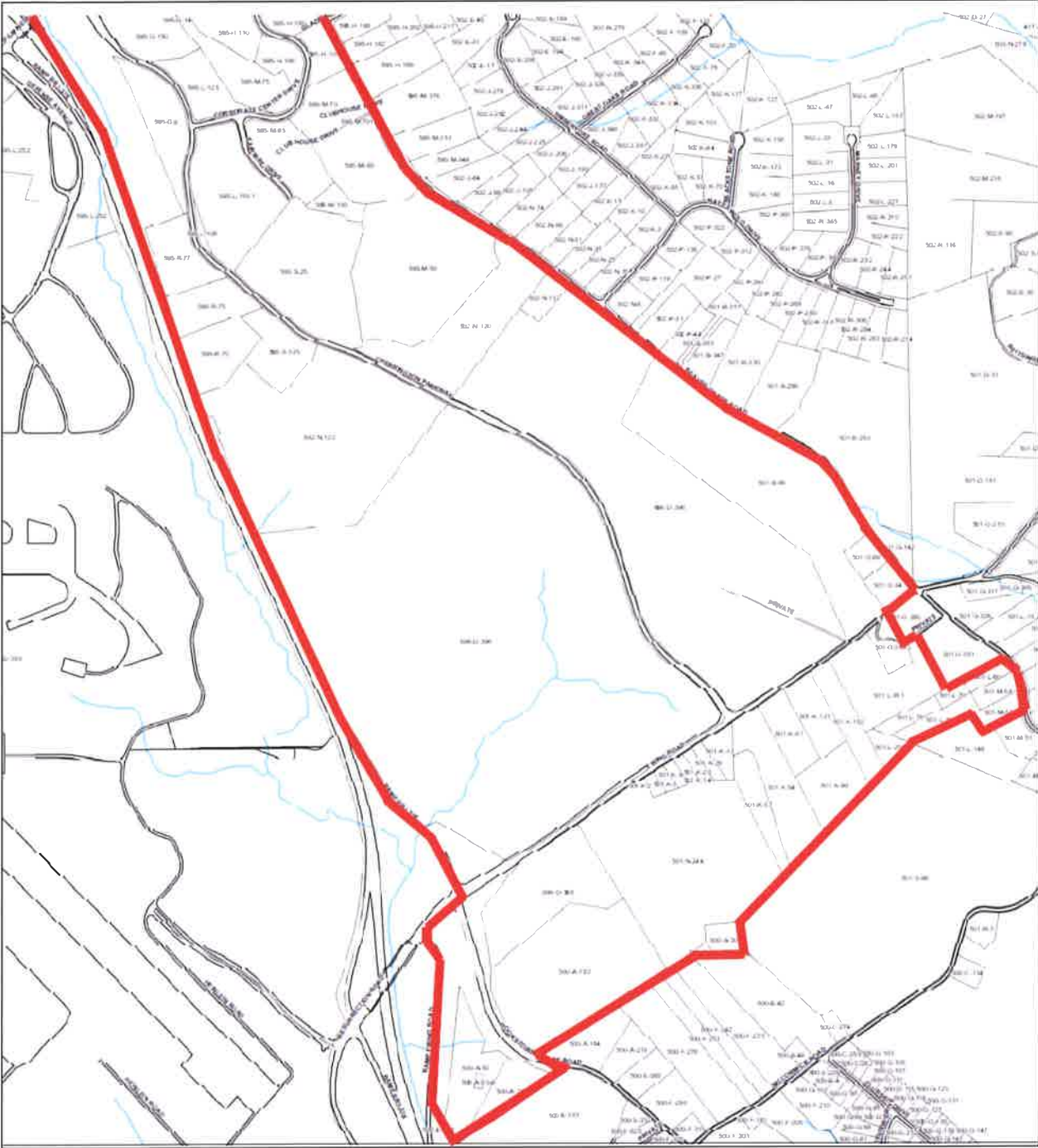
### Current LERTA District Boundaries



### LERTA Expansion Boundaries

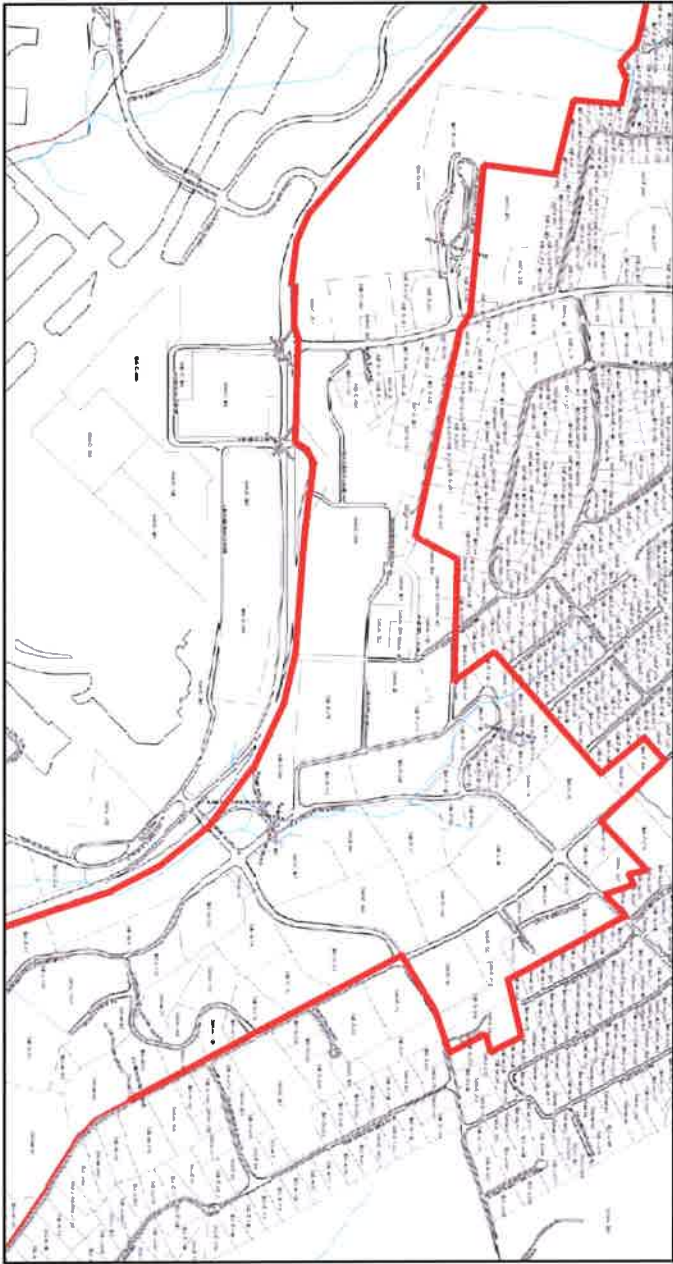


Parcel Map – Thorn Run LERTA District (Portion 1 of 3)





Parcel Map – Thorn Run LERTA District (Portion 2 of 3)



Parcel Map – Thorn Run LERTA District (Portion 3 of 3)

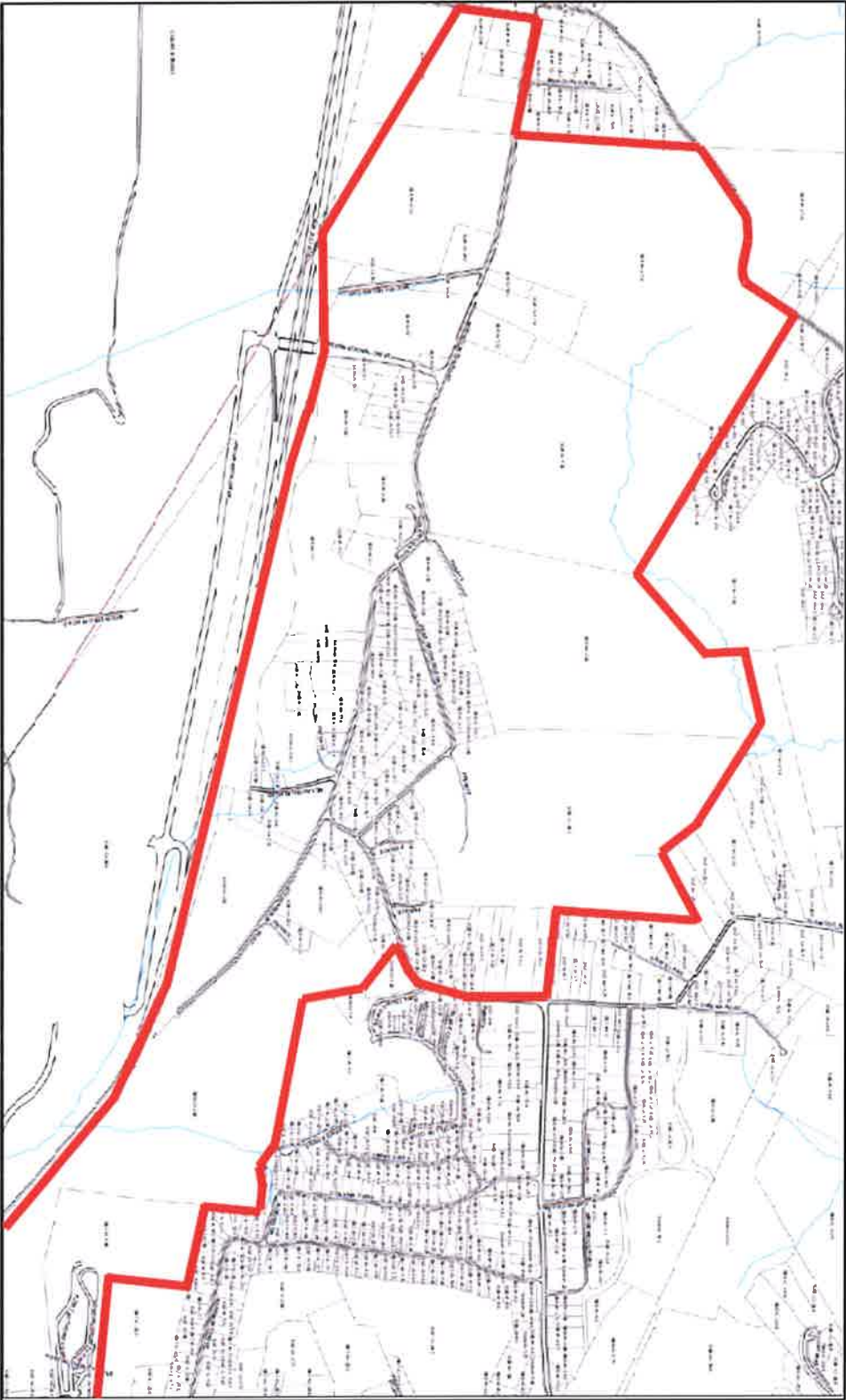


Exhibit A-1  
LERTA Expansion Parcel List

<b>Ewing Road East Expansion</b>	
1	500-A-23
2	500-A-50
3	500-A-50-B
4	500-A-183
5	696-D-396
6	501-N-244
7	501-K-2
8	501-K-5
9	501-K-9
10	501-K-14
11	501-K-20
12	501-K-26
13	501-K-37
14	500-B-25
15	500-B-30
16	501-P-1
17	501-K-54
18	501-K-57
19	501-K-91
20	501-K-99
21	501-K-121
22	501-K-152
23	501-L-60
24	501-L-70
25	501-L-76
26	501-L-82
27	501-L-202
28	501-L-361
29	501-M-55
30	501-M-58
31	501-G-389
<b>Stevenson Mill Road West Expansion</b>	
1	697-S-149
2	697-S-191
3	697-S-207
4	697-S-225
5	697-R-74
6	697-R-56
7	697-R-39
8	697-R-43
9	697-R-21
10	697-R-17
11	697-R-11
12	696-D-395
13	696-C-133
14	697-R-174
15	697-R-146
16	697-R-201
17	697-R-211
18	697-R-216
19	697-R-220

20	697-R-224
21	696-C-190
22	696-C-188
23	696-C-211
24	806-H-335
25	806-H-330
26	806-H-390
27	806-G-170
28	806-G-185
29	806-C-226
30	806-D-88
31	806-D-93
32	806-D-105
33	806-D-113
34	806-D-121
35	806-D-129
36	806-H-300
37	696-D-361-0-33
38	806-G-133
39	806-G-56
40	806-G-76
41	806-G-89
42	806-G-259
43	806-G-251
44	806-G-230
45	806-G-193
46	806-G-200
47	806-C-14
48	806-C-5
49	806-B-118
50	806-F-390
51	806-B-112
52	806-F-367
53	806-B-108
54	806-B-96
55	806-B-70
56	806-A-10
57	806-B-75
58	806-A-232
59	806-A-229
60	806-A-193
61	806-A-181
62	806-A-167
63	806-A-153
64	806-A-129
65	806-A-197
66	924-S-101
67	924-S-97
68	924-S-67
69	924-S-59
70	923-D-105
71	924-R-232
72	924-S-240
73	924-R-206
74	924-R-204
75	924-R-202

76	924-P-43
77	924-R-319
78	924-S-179
79	924-S-193
80	924-S-130
81	924-S-157
82	806-B-358
83	806-C-363
84	807-S-85
85	807-S-99
86	807-S-110
87	807-S-123
88	807-S-139
89	807-S-153
90	807-S-161
91	806-D-122
92	806-D-224-3262
93	806-D-224-3261
94	806-D-224-3342
95	806-D-224-3341
96	806-D-224-3322
97	806-D-224-3321
98	806-D-224-3302
99	806-D-224-3301
100	806-D-224-3361
101	806-D-224-3362
102	806-D-224-3381
103	806-D-224-3382
104	806-D-309
105	806-D-296
106	806-D-230
107	806-D-239
108	806-D-246
109	806-D-254
110	806-D-265
111	806-D-283
112	806-D-292
113	806-D-357
114	806-D-320
115	806-D-327
116	806-D-329
117	806-C-239
118	806-C-243
119	806-C-286
120	806-C-277
121	806-C-265
122	806-C-257
123	806-C-247
124	806-C-50
125	806-C-60
126	806-C-187
127	806-C-59
128	806-C-186
129	806-C-58
130	806-C-185
131	806-C-57

132	806-C-177
133	806-C-62
134	806-C-169
135	806-C-160
136	806-C-154
137	806-C-76
138	806-C-92
139	806-C-99
140	806-C-108
141	806-B-125
142	806-C-121
143	806-C-144
144	806-C-138
145	806-B-131
146	806-C-133
147	806-B-220
148	806-B-139
149	806-B-219
150	806-B-146
151	806-B-152
152	806-B-158
153	806-B-201
154	806-B-195
155	806-B-173
156	806-B-177
157	806-B-335
158	806-B-303
159	806-B-292
160	806-B-284
161	806-B-276
162	806-B-269
163	806-B-263
164	806-B-257
165	806-B-251
166	806-B-246
167	806-B-242
168	806-C-373
169	806-C-370
170	806-C-367
171	806-C-365



**MEMORANDUM**

**OFFICE OF THE COUNTY MANAGER**

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: February 16, 2017

RE: Proposed Ordinance

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Attached is an Ordinance of the Council of Allegheny County, Pennsylvania amending Ordinance No. 23636, as previously amended, to expand the boundaries of a certain geographic area within Moon Township known as the Thorn Run Transportation Development District, previously determined to be a "Deteriorating Area" under the Local Economic Revitalization Tax Assistance Act, and to extend the time period during which any owner of a property within the Deteriorating Area may apply to and receive a temporary exemption from increases in County real estate taxes due to increased or additional assessed valuation attributable to the actual costs of construction, reconstruction or the improvements made to the property to April 29, 2026.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

2017 FEB 16 AM 11:43  
RECEIVED  
ALLEGHENY COUNTY COUNCIL