

Bill No. 3213-07

No. 25-07-0R

AN ORDINANCE

An Ordinance of the County of Allegheny Amending Ordinance No. 23636, as amended, to extend the applicability of said Ordinance to any eligible improvement, construction or reconstruction for which a building permit is issued on or before April 29, 2021.

Whereas, The Local Economic Revitalization Tax Assistance Act ("LERTA"), Pa. Stat. Ann. Tit. 72 §4722 et seq., authorizes local taxing authorities to exempt from real estate taxation, for specific periods, the assessed valuation of improvements to deteriorated industrial, commercial and other business property; and

Whereas, the Township of Moon ("Township"), the Moon Area School District ("School District") and the County of Allegheny ("County") have enacted LERTA legislation providing for temporary exemption from real property taxation for specified time periods for certain increases in assessed valuation of improvements made on industrial, commercial and other business property in a deteriorated area of the Township conditioned upon the making of contributions of the exempted amount to the Moon Transportation Authority ("MTA"); and

Whereas, the Township, School District and County have previously amended their respective LERTA legislation to expire on December 31, 2015; and

Whereas, the Township and School District have enacted legislation further amending the original LERTA legislation to further extend the expiration date of the legislation to December 31, 2021 to advance certain transportation infrastructure projects in the Township, and

Whereas, the Township has requested the County of Allegheny to enact similar legislation; and

Whereas, the MTA is working with the Allegheny County Airport Authority on the extension of Cherrington Parkway, the upgrade of Ewing Road and the possible extension of Port Vue Drive and Stevenson Mills Road and funds for these projects will in part come from revenues derived from this program, and

Whereas, the County Council finds that extending its prior legislation which established a temporary tax exemption program in certain designated deteriorated areas of Moon Township would contribute to the general welfare of the community by spurring transportation improvements, economic activity and promoting investment in the area's business and commercial property.

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. Amended Expiration Date

The final expiration date of the LERTA legislation enacted pursuant to Ordinance No. 23636 shall be extended to December 31, 2021, provided however, that in the event a building permit for eligible improvement, construction, or reconstruction is issued prior to said date, the subject property shall be eligible for exemption in accordance with this Ordinance.

Section 3. Continuation of Prior Ordinances

Except as expressly amended by this Ordinance, Ordinance 23636, as amended, shall continue in full force and effect as if fully re-enacted hereby.

Section 4. Intergovernmental Cooperation Agreement

If required, the proper officials of the County are hereby authorized to enter into an intergovernmental cooperation agreement pursuant to the Intergovernmental Cooperation Act, Pa. Cons. Stat. Ann. Tit. 53, §2301, et seq., with the Township and the School District to implement the Exemption from County real property taxation established under this Resolution. The intergovernmental cooperation agreement shall be subject to review and approval as to form by the County Solicitor.

Section 5 Rules and Regulations

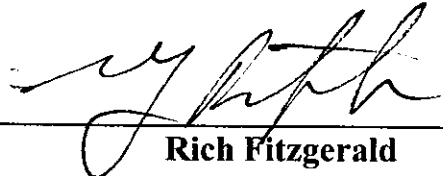
The County Manager and the Office of Property Assessments are authorized to adopt rules and regulations, if necessary, to implement this Ordinance.

Section 6. 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.

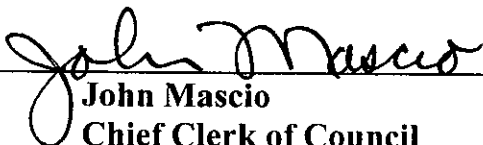
Section 7. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 19th day of June, 2007

Council Agenda No. 3213-07

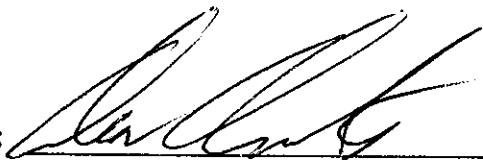


Rich Fitzgerald
President of Council

Attest: 

John Mascio
Chief Clerk of Council

Chief Executive Office June 25, 2007

Approved: 

Dan Onorato
Chief Executive

Attest: 

Donna Beltz
Executive Secretary

SUMMARY PAGE
MTA THORN RUN LERTA AMENDMENT ORDINANCE
SUBMITTED FOR COUNCIL MEETING MAY 16, 2007

The Township of Moon ("Township"), Moon Area School District ("School District") and Allegheny County created the Thorn Run Local Economic Revitalization Tax Assistance Act (LERTA) District to provide for temporary exemption from real property taxation within a deteriorated area of the Township conditioned upon the making of contributions of the exempted amount to the Moon Transportation Authority ("MTA"). Both the Township and School District have previously amended their respective LERTA legislation to further extend the expiration date to advance certain transportation infrastructure projects. The Township has requested that the County amend Ordinance 23636, as amended, to extend the expiration date of the Thorn Run LERTA District for a period of five years.

The Department of Economic Development requests the Council of the County of Allegheny:

- (a) consider an ordinance to amend Ordinance 23636, as amended, to extend the applicability of said Ordinance to any eligible improvement, construction or reconstruction for which a building permit is issued on or before April 29, 2021; and
- (b) direct the appropriate public officials of the County to take such additional actions in cooperation with the Township and the School District to implement the LERTA, including without limitation, the execution and delivery of a Cooperation Agreement by and among the participants.

In January 2007, the MTA and Allegheny County Airport Authority broke ground on the \$10.8 million Cherrington Parkway Extension Project ("Cherrington Project"). The Thorn Run LERTA District has enabled the MTA to progress on this and other transportation projects within the Township. Extending for a period of thirty years from its initial inception in 1986, the Thorn Run LERTA District is set to expire on December 31, 2016. Extension of the expiration date to 2021 will provide funds necessary to retire the full debt on the Cherrington Project and allow the MTA to advance future transportation projects within the Township.

M E M O R A N D U M
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager



ALLEGHENY COUNTY COUNCIL

DATE: May 10, 2007

'07 MAY 10 AM 9:05

RE: Proposed Ordinance

Attached is an Ordinance Amending Ordinance No. 23636, as amended, to extend the applicability of said Ordinance to any eligible improvement, construction or reconstruction for which a building permit is issued on or before April 29, 2021.

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

Please place this on the next agenda for County Council approval.

Thank you.