

## **BOROUGH OF ELIZABETHTOWN**

Lancaster County, Pennsylvania

### **ORDINANCE NO 993**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF ELIZABETHTOWN, CHAPER 24, TAXATION, SPECIAL, PART 6, LERTA PROGRAM, TO EXTEND THE TIME PERIOD OF SUCH PROGRAM.

**WHEREAS**, Elizabethtown Borough is a local taxing authority, authorized by the Local Economic Revitalization Tax Assistance Act, the Act of December 1, 1977, P.L. 237, No. 76, 72 P.S. §4722 et seq., to provide tax exemption for new construction in deteriorated areas of economically distressed communities and for improvements to certain deteriorated industrial, commercial and other business properties.

**WHEREAS**, the Borough Council of the Borough held a public hearing on May 15, 2014 for the purpose of determining the boundaries of deteriorated areas within the Borough. The Borough Council desires to encourage building façade improvements, new construction, and redevelopment in certain deteriorated areas of the Borough defined in this Ordinance through the use of tax exemptions.

**WHEREAS**, during the initial period of effectiveness of this Article, the ownership of some of the designated properties changed, resulting in updates to the Lancaster County Tax Account information. The Borough Council desires to continue to encourage building façade improvements, new construction, and redevelopment to properties within the program and extend the initial five year period for an additional five years.

**Section 1.** The Code of Ordinances of the Borough of Elizabethtown, Chapter 24, Taxation, Special, Part 6, LERTA Program, §602, Eligible Areas, shall be revised to provide as follows:

#### **§602. Eligible Areas.**

The Borough Council determines that the properties identified below shall be the area which contains and consists of deteriorated properties which are eligible for tax exemption under this article. Additional eligible areas may be included from time to time by ordinance of the Borough Council. The properties included within the deteriorated area and subject to the benefits of this article are as follows:

<u>Lancaster County Tax Account No.</u>	<u>Address</u>	<u>Record Owner</u>
2503157800000	28 South Market Street	South Market Street, LP
2506571100000	206 South Market Street	Market Street Ventures Group LLC
2500871500000	18 North Market Street	Loyal Order of Moose 596

**Section 2.** The Code of Ordinances of the Borough of Elizabethtown, Chapter 24, Taxation, Special, Part 6, LERTA Program, §606, Termination Date, shall be amended to provide as follows:

**§606. Termination Date.**

An application for exemption under the provisions of this Article as enacted by Ordinance No. 956 shall be made within five (5) years of the effective date of such ordinance, May 15, 2014. An application for exemption for properties identified in §602, as amended by Ordinance No. 993, may be made at any time within five (5) years from the effective date of such Ordinance. All qualified applications under this Article are eligible for the entire ten (10) year exemption schedule.

**Section 3.** All other sections, parts and provisions of the Code of Ordinances of the Borough of Elizabethtown shall remain in full force and effect as previously enacted and amended.

**Section 4.** In the event any provision, section, sentences, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

**Section 5.** This Ordinance shall take effect and be in force five (5) days after its enactment by the Borough Council of the Borough of Elizabethtown as provided by law.

**DULY ORDAINED AND ENACTED** this 16 day of May, 2019 by the Borough Council of the Borough of Elizabethtown, Lancaster County, Pennsylvania, in lawful session assembled.

ATTEST: R. Ryan  
(Assistant) Secretary

BY: [Signature]  
(Vice) President  
Borough Council

[SEAL]

**APPROVED** as an Ordinance this 16 day of May, 2019.

BY: [Signature]  
(Acting) Mayor