

EMERGENCY RESOLUTION NO. 46-2007

A RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF MONROE, OHIO, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND TAX INCENTIVES REVIEW COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Monroe, Ohio (hereinafter "Council") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in the City, which has not enjoyed reinvestment from remodeling or new construction;

WHEREAS, a survey of housing, as required by Ohio Revised Code (ORC) Section 3735.66, has been prepared for the area to be included in the proposed Community Reinvestment Area;

WHEREAS, the maintenance of existing structures or the construction of new structures would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures and the construction of new structures in the Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The area designated as the City of Monroe Community Reinvestment Area #3 constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

SECTION 2: Pursuant to ORC Section 3735.66, the City of Monroe Community Reinvestment Area #3 is hereby established. Future modification of these boundaries will require an amendment to this Resolution before those areas are eligible for any Community Reinvestment Area Program exemptions.

The City of Monroe Community Reinvestment Area #3 is approximately depicted as the highlighted area on the map attached to this Resolution, marked Exhibit A, and by this reference incorporated herein.

SECTION 3: All commercial or industrial properties consistent with applicable zoning regulations and identified in Exhibit A as being within the City of Monroe Community Reinvestment Area #3 are eligible for this incentive. This Program is

a public-private partnership intended to promote and expand conforming uses in the designated area. To the extent possible and necessary, the City of Monroe, Ohio intends to improve public facilities and infrastructure in the area.

SECTION 4: For a commercial or industrial property within the City of Monroe Community Reinvestment Area #3, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671.

The applicable commercial and industrial exemption guidelines are as follows:

- (a) Commercial or Industrial Remodeling: A commercial or industrial remodeling project that results in at least \$10,000 (ten thousand dollars) of allowable expenses shall be eligible for an exemption of up to and including 100% (one hundred percent) on the added value of the structure for a maximum of twelve (12) years. The specific terms of each project's exemption shall be negotiated on a case-by-case basis and committed to writing in advance of construction occurring.
- (b) Commercial or Industrial New Construction: A commercial or industrial new construction project shall be eligible for an exemption of up to and including 100% (one hundred percent) of the added value of the structure for a maximum of fifteen years (15). The specific terms of each project's exemption shall be negotiated on a case-by-case basis and committed to writing in advance of construction occurring.

All commercial and industrial projects that are granted an exemption under the City of Monroe Community Reinvestment Area #3 Program are required to comply with the state application fee requirements of ORC Section 3735.672(C) and the local annual monitoring fee of 1% (one percent) of the amount of taxes exempted under the Agreement – a minimum of \$500 (five hundred dollars) up to a maximum of \$2500 (two thousand five hundred dollars) annually.

SECTION 5: For all projects, if remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

SECTION 6: To administer and implement the provisions of this Resolution, the Monroe City Council shall designate a "Housing Officer" as described in ORC Sections 3735.65 to 3735.70.

SECTION 7: A "Community Reinvestment Area Housing Council" is hereby created, consisting of two (2) members appointed by the Mayor of the City of Monroe, Ohio, two (2) members appointed by the City Council of Monroe, Ohio, and one (1) member appointed by the Planning Commission of the City. The majority of the members shall then appoint two (2) additional members who shall be residents of the City of Monroe. Terms of the members of the Housing Council shall be for three (3) years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made.

The Community Reinvestment Area Housing Council shall make an annual inspection of properties within the district for which an exemption has been granted under ORC Section 3735.67. The Housing Council shall also hear appeals under ORC Section 3735.70.

SECTION 8: A "Tax Incentive Review Council" is hereby created under the provisions of ORC Section 5709.85 for the purposes of annual reviewing all agreements granting exemptions from property taxation under the City of Monroe Community Reinvestment Area #3 and recommending, in writing, the continuance, modification, or termination of exemptions based upon the entity's performance and compliance with all requirements. The membership of the Tax Incentive Review Council shall be in accordance with ORC Section 5709.85.

SECTION 9: The City Manager of the City of Monroe is hereby directed and authorized to petition the Ohio Department of Development's Director of Development to confirm the findings contained within this Resolution.

SECTION 10: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety and further for the reason that Council desires to establish the boundaries of a Community Reinvestment Area at the earliest possible date to encourage economic stability, maintain real property values, and generate new employment opportunities. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

