

RECORD OF ORDINANCES

ORDINANCE 15-2022

AN ORDINANCE AMENDING ORDINANCE NO. 27-05 WHICH IMPLEMENTED SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE AND ESTABLISHED THE GENOA COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF GENOA, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of Village of Genoa (hereinafter "Council") adopted Ordinance No. 27-05 on March 22, 2005 (the "Original CRA Ordinance") designating the Genoa Community Reinvestment Area in accordance with Sections 3735.65 through 3735.70 of the Ohio Revised Code (the "CRA Act"); and

WHEREAS, this Council now determined to amend the Original CRA Ordinance by amending and restating Section 4 of the Original CRA Ordinance to amend the percentage of the tax exemption on the increase in the assessed valuation resulting from certain improvements to residential properties; and

WHEREAS, a survey of housing (see Attachment B) as required by Ohio Revised Code (ORC) Section 335. Has been prepared for the area to be included in the Village of Genoa Community Reinvestment Area#1.

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

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

NOW THEREFORE, BE IT ORDAINED BY VILLAGE OF GENOA, OTTAWA COUNTY, OHIO, THAT:

SECTION 1. Section 2 of the Original CRA Ordinance is hereby amended and restates in its entirety as follows:

Section 2: Pursuant to ORC Section 3735.66, the boundaries of the Village of Genoa Community Reinvestment Area #1, are hereby established as the corporate limits of the Village of Genoa as of April 2022, as indicated on Attachment E2. Residential, commercial and industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area (CRA) will be eligible for exemptions under this program.

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SECTION 2. Section 4 of the Original CRA Ordinance is hereby amended and restated in its entirety as follows:

Section 4: Within the Community Reinvestment Area, 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 the 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. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer. Residential applications must be filed with the Housing Officer no later than twelve months after construction completion. Owner of a dwelling constructed in a community reinvestment area may file an application for an exemption after the year the construction first became subject to taxation.

(a) Abatement up to 100% for ten (10) years, (negotiable up to 100% and up to ten years) for the construction or remodeling of dwellings and upon which the cost of remodeling is at least \$2,500, as described in ORC Section 3735.67.

(b) Abatement can be up to 100% for up to ten (10) years (negotiable up to 100% and up to ten years) for improvements to existing commercial and industrial facilities, upon which the cost of remodeling is at least \$10,000, and shall be negotiated on a case by case basis in advance of construction occurring.

(c) Abatement can be up to 100% for up to fifteen (15) years (negotiable up to 100% and up to 15 ears) for new commercial or industrial facilities, and shall be negotiated on a case by case basis in advance of construction occurring.

(d) 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.

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For the purposes of the above-described CRA, dwellings containing not more than four (3) family units shall be classified as residential structures, and dwellings containing four (4) family units shall be classified as commercial structures.

SECTION 2. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

SECTION 3. The Mayor of the Village of Genoa is hereby directed and authorized to petition the Director of Development Services to confirm the findings contained within this Ordinance.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and to meet a situation affecting health, property and the public peace, and for the further reason that it is necessary to immediately designate the Genoa Village Community Reinvestment Area, in order to improve housing stock, and to provide for creation of jobs and economic opportunities in the City, which are vitally needed in order to enhance job opportunities, to enhance vitally needed income tax and other revenues for the Village, and to improve the economic welfare of the citizens of the Village; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by not less than five affirmative votes of Council and approval by the Mayor, and upon confirmation by the Director of Development Services of the findings in this Ordinance.

Vote to suspend rules: For: _____ Against: _____

Vote on emergency clause: For: _____ Against: _____

Vote on final adoption: For: _____ Against: _____

ADOPTED _____ As an emergency measure.

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM: APPROVED:

Village Attorney



Mayor

RECORD OF RESOLUTION

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication was duly made as provided in Ordinance 67-2017 adopted by the following method:

By posting certified copies thereof in the six (6) public places specified in Section 105.01 of the Codified Ordinances of the Village of Genoa, and by Ordinance 67-2017, said posting having been accomplished on the following date: _____, 2022

Fiscal Officer

1st Reading

4-4-2022

2nd Reading

4-18-2022

Tabled -