

A G E N D A
February 6, 2023
Deliberative Meeting

Resolutions

1. Authorize approval for the installation of handicap parking zone;
2. Authorize approval for the promotion of officers to the position of Captain;
3. Authorize approval for the creation of the ARPA Oversight Committee;
4. Authorize approval for the reimbursement to CEDA for the Reaney Street Project;
5. Authorize approval to designate new bank signatories;
6. Authorize to approve Expenditure List;

Ordinance

1. Final Reading – Ord. No. 1, Bill No. 1 – Creating New Article 361, entitled, “Residential”
2. Final Reading – Ord. No. 2, Bill No. 2 – Creating New Article 363, entitled, “Industrial and Commercial”

R E S O L U T I O N

NO. 17-2023

WHEREAS, the following individual has requested a handicapped parking zone:

1. Angela Lewis-Kone, 218 Highland Avenue, Chester, PA 19013

WHEREAS, after a thorough investigation by the Department of Streets and Public Improvements, it has been determined that the aforementioned individual has met all of the required criteria and has a need for said handicapped parking zone.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the proper City officials to install a handicapped parking zone in the 200 Block of Highland Avenue in the City of Chester.

WE HEREBY CERTIFY that this Resolution passed Council this Eighth day of February, A.D. 2023.

MAYOR

Attest: _____
ACTING CITY CLERK

RESOLUTION

NO. 18 - 2023

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby promote the following individuals to the rank of Acting Captain, Chester Police Department, Department of Public Affairs, effective February 13, 2023, with a ninety (90) day probationary period, at the salary range as provided in the Annual Appropriation Ordinance.

1. William Carey
2. Joshua Dewees

WE HEREBY CERTIFY that this Resolution passed Council this Eighth day of February, A.D. 2023.

MAYOR

Attest: _____
ACTING CITY CLERK

RESOLUTION

NO. 19 - 2023

WHEREAS, President Biden signed the American Rescue Plan Act (ARPA) into law in March 2021, designating \$350 billion nationwide to support immediate pandemic response, address economic fallout and lay the foundation for a strong and equitable recovery; and

WHEREAS, in an effort to provide transparency concerning the projects and expenditures, under the authority of Article VI, Section 604 of the Home Rule Charter, Council wishes to establish an ARPA Oversight Committee; and

WHEREAS, the purpose of the ARPA Oversight Committee is to provide transparency for the City’s ARPA funded projects as it relates to the community and ensure the portion of the ARPA budget designated for the community is in line with the community’s priorities;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby appoint the following four (4) community volunteers, including one (1) alternate, to the ARPA Oversight Committee, to serve a one (1) year term:

Annette Pyatt

Thomas Nixon

Adora Purnell

Trina Smith (Alternate)

FURTHER, the ARPA Oversight Committee is a recommending body and not an approval body that will meet with such frequency as it may determine.

EVEN FURTHER, the ARPA Oversight Committee will report its activities at community meetings where applicable to City Council in a public meeting and shall report no less than quarterly to the community at a community meeting.

WE HEREBY CERTIFY that this Resolution passed Council this Eighth day of February, A.D. 2023.

MAYOR

Attest: _____
ACTING CITY CLERK

RESOLUTION

NO. 20 - 2023

WHEREAS, the City of Chester is in partnership with the Chester Economic Development Authority, (“CEDA”) and the Riverfront Alliance of Delaware County, (“RADC”), for the reconstruction of Reaney Street, from Seaport Drive to Route 291, in accordance with the Chester Waterfront Master Plan, for the Reaney Street Reconstruction Project, (“Project”); and

WHEREAS, the goal of the Project is to improve connectivity, community access and public safety along the 100 blocks of the connector street that links Chester’s residential neighborhoods to the Delaware waterfront; and

WHEREAS, the Project improvements will include the installation of ADA complaint curbs, sidewalks and lighting; reduced cartway width and increased sidewalk size to accommodate pedestrians; and a buffer separation between sidewalks and vehicular traffic; and

WHEREAS, CEDA has provided One Hundred, Forty-five Thousand Four Hundred Dollars (\$145,400.00) towards Payment Certificate #3 of the Project.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the Department of Accounts and Finance to reimburse CEDA, One Hundred, Forty-five Thousand Four Hundred Dollars (\$145,400.00), for the payment of a portion of Payment Certificate #3, for the initial improvements to Route 291 and Reaney Street, for the Reaney Street Reconstruction Project.

FURTHER, the sum of One Hundred, Forty-five Thousand Four Hundred Dollars (\$145,400.00) is hereby appropriated from the City’s American Rescue Plan Act (ARPA) funds under ARPA Project 29 – Reaney Street.

WE HEREBY CERTIFY that this Resolution passed Council this Eighth day of February, A.D. 2023.

MAYOR

Attest: _____
ACTING CITY CLERK

**RESOLUTION
NO. 21 - 2023**

WHEREAS, the City of Chester has designated Santander Bank, N.A., (the “Bank”) as its depository of funds and the Bank requires a resolution approved by the Council of the City of Chester to make changes to position titles and personnel authorized to sign on City accounts; and

WHEREAS, Chester City Council has elected to change the authorized signers that act on behalf of the City of Chester in accordance with the terms and conditions, as detailed in the Bank’s Universal Resolution.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby designate the following individuals as authorized signers:

<u>Name</u>	<u>Title</u>
Leonard Lightner	Chief Operating Officer (COO)
Arleen R. Geathers	Deputy Chief Financial Officer (CFO)
Michael Hurst	Accountant
Eleanor F. Golson	Treasurer

FURTHER, that it does authorize the proper City official to provide this Resolution, the signed Universal Resolution and Bank Signature Card to the Bank, for and on behalf of the City of Chester.

FURTHER, this Resolution supersedes any other Resolution addressing the subject matter discussed herein.

WE HEREBY CERTIFY that this Resolution passed Council this Eighth day of February, A.D. 2023.

MAYOR

Attest: _____
ACTING CITY CLERK

I, Joan Neal, Acting City Clerk of the City of Chester, does hereby certify that this foregoing Resolution NO. ____ - 2023, was adopted by a majority of City Council at a regular meeting of the City Council of the City of Chester, Delaware County, Pennsylvania, held on this Eighth day of February, 2023.

Acting City Clerk

RESOLUTION

NO. 22 - 2023

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does approve and order payment of a series of bills and refunds as prepared by the Department of Accounts and Finance and as shown on Expenditure Approval List dated January 16, 2023 through January 27, 2023 attached hereto and made a part hereof, subject to approval from the Department of Accounts and Finance.

WE HEREBY CERTIFY that this Resolution passed Council this Eighth day of Febuary, A.D. 2023.

MAYOR

Attest: _____
ACTING CITY CLERK

Check Date	Vendor Name	Item Description	Amount
1/27/2023	CEDA	REANEY ST. IMPROVEMENT PROJECT	\$ 145,400.00
1/27/2023	S.J. THOMAS COMPANY INC.	FINAL ROOF REPLACEMENT	\$ 2,019.79
1/27/2023	LENNI ELECTRIC	STREET LIGHT MAINTENANCE	\$ 1,995.33
1/27/2023	MOORE OUTDOOR REJUVENATION, IN	SINK HOLE REPAIR	\$ 4,800.00
1/27/2023	PECO ENERGY COMPANY	CITY OF CHESTER LIGHT SUMMARY	\$ 198.51
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIR	\$ 331.00
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIR	\$ 210.00
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIRS	\$ 473.35
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIRS	\$ 618.75
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIRS	\$ 21,422.58
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIRS	\$ 33,687.41
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIRS	\$ 47,244.50
1/27/2023	SIGNAL SERVICE INC.	TRAFFIC SIGNAL REPAIRS	\$ 29,064.33
1/19/2023	SWIF	NOV 2022 WORKERS COMP	\$ 86,111.00
1/23/2023	ALLSTATE BENEFITS	AFLAC & ALLSTATE PAYROLL DED	\$ 147.96
1/23/2023	E-COLLECTPLUS, LLC	OCCUPATIONAL PRIVILEGE	\$ 492.00
1/23/2023	TEAMSTERS LOCAL 107	TEAMSTERS	\$ 255.00
1/23/2023	NEW YORK LIFE	LIFE INSURANCE	\$ 794.14
1/26/2023	AT&T MOBILITY	CELL PHONE/IN-VEHICLE CHARGES	\$ 817.41
1/26/2023	AT&T MOBILITY	CFD CELL PHONES/DATA DEC 2022	\$ 249.98
1/26/2023	BLOCK LINE SYSYEMS LLC	DEC 2022 PHONE BILL	\$ 5,342.88
1/26/2023	PITNEY BOWES	CPD LEASING FOR STAMP MACHINE	\$ 220.89
1/26/2023	BRITTANI HALES	REIMBURSEMENT EVENT SUPPLIES	\$ 126.56
1/26/2023	MOORE BROTHERS	PURCHASED & HAULED COLE PATCH	\$ 3,625.50
1/26/2023	CONNER STRONG & BUCKELEW	CONSULTING FEE 2 OF 4	\$ 50,000.00
1/26/2023	COMCAST CABLEVISION	CHESTER STATION 2 FIRE BILL	\$ 0.03
1/26/2023	KYLE C. DAVIS	FIRE STATION 82 REPAIRS	\$ 1,200.00
1/26/2023	KYLE C. DAVIS	EMERGENCY WORK LGT SPARKING	\$ 750.00
1/26/2023	KYLE C. DAVIS	CITY HALL REPAIRS	\$ 525.00
1/26/2023	KYLE C. DAVIS	CITY HALL BUILDING REPAIRS	\$ 3,500.00
1/26/2023	DELAWARE COUNTY DAILY TIMES	PUBLIC HEARING NOTICE	\$ 109.22
1/26/2023	DELAWARE COUNTY DAILY TIMES	CHESTER CITY COUNCIL ORDINANCE	\$ 1,050.49
1/26/2023	DELAWARE COUNTY DAILY TIMES	REORGANIZATION MEETING	\$ 61.15

1/26/2023	DELAWARE COUNTY DAILY TIMES	CITY OF CHESTER MEETING NOTICE	\$	551.87
1/26/2023	DELAWARE COUNTY COMMUNITY COLL	CUSD PROP SHARE 1ST QTR 22-23	\$	32,617.00
1/26/2023	DELL MARKETING L.P.	PROSUPPORT PLUS	\$	142.84
1/26/2023	FEDERAL EXPRESS CORPORATION	OVERNIGHT MAIL	\$	39.88
1/26/2023	FEDERAL EXPRESS CORPORATION	OVERNIGHT MAIL	\$	423.27
1/26/2023	ROBERT & SHERRY FERGUSON	CPD GARAGE RENTAL	\$	550.00
1/26/2023	ROBERT & SHERRY FERGUSON	CPD GARAGE RENTAL	\$	550.00
1/26/2023	ROBERT & SHERRY FERGUSON	CPD GARAGE RENTAL FEB. 2023	\$	550.00
1/26/2023	KEEN COMPRESSED GAS	OXYGEN RENTAL	\$	125.04
1/26/2023	KEEN COMPRESSED GAS	OXYGEN/HELIUM RENTAL	\$	30.80
1/26/2023	HOME DEPOT CREDIT SERVICES	HIGHWAY SUPPLIES	\$	684.83
1/26/2023	HOME DEPOT CREDIT SERVICES	HIGHWAY SUPPLIES	\$	14.19
1/26/2023	HUNTER TRUCK SALES & SERVICES	VEHICLE REPAIRS	\$	1,004.58
1/26/2023	IWORQ SYSTEMS	SOFTWARE MGMT & SUPPORT	\$	1,800.00
1/26/2023	JOHNSON CONTROLS SECURITY SOLU	QUARTERLY BILLING	\$	272.00
1/26/2023	J.P. MASCARO & SONS	JAN 2023 TRASH COLLECTION	\$	157,750.00
1/26/2023	THADDEUS KIRKLAND	REIMBURSEMENT SENIOR LUNCHEON	\$	3,451.46
1/26/2023	MANO'S AUTO REPAIR	CAR 4 SERVICE INSPECTION	\$	262.47
1/26/2023	MGL PRINTING SOLUTIONS	1099-MISC & NEC, W-2 FORMS	\$	683.00
1/26/2023	MUNRO PRINTING & GRAPHIC DESIG	JAMAR SHAW BUSINESS CARDS	\$	55.00
1/26/2023	MUNRO PRINTING & GRAPHIC DESIG	AMANDA JOHNSON BUSINESS CARDS	\$	55.00
1/26/2023	MUNRO PRINTING & GRAPHIC DESIG	CITY HALL EMPLOYEES	\$	195.00
1/26/2023	MUNRO PRINTING & GRAPHIC DESIG	LETTERHEAD	\$	925.00
1/26/2023	MUNRO PRINTING & GRAPHIC DESIG	DELIVERY FEE	\$	3.50
1/26/2023	MUNRO PRINTING & GRAPHIC DESIG	FINANCE RECEIPTS 3 PART	\$	425.00
1/26/2023	MURPHY FORD CO.	REPAIRS TO 24-32	\$	659.89
1/26/2023	MURPHY FORD CO.	REPAIRS TO 24-H9	\$	1,170.13
1/26/2023	PA CHIEF OF POLICE ASSOCIATION	MOBILE ID MAINT. & CELL SERV.	\$	1,025.00
1/26/2023	PA CHIEF OF POLICE ASSOCIATION	LIVESCAN/CPIN MACHINE MAINT.	\$	6,582.00
1/26/2023	PA ONE CALL SYSTEM, INC.	MONTHLY ACTIVITY FEES DEC 2022	\$	91.08
1/26/2023	PECO	167 E 7TH ST ELECRTIC BILL	\$	2,042.33
1/26/2023	PECO	160 E 7TH ST ELECTRIC BILL	\$	2,463.04
1/26/2023	PORTIA WEST	LITTER SUMMIT REG. FEE	\$	100.00
1/26/2023	PORTIA WEST	2022 LITTER SUMMIT	\$	165.39

1/26/2023	PROTIVITI GOVERNMENT SERVICES,	MASTER SERVICES AGREEMENT	\$	57,812.50
1/26/2023	QUADIENT FINANCE USA, INC	POSTAGE	\$	301.00
1/26/2023	READYREFRESH BY NESTLE	WATER SUPPLY	\$	161.86
1/26/2023	SPEAR, GREENFIELD, RICHMAN, PC	SETTLEMENT	\$	202.22
1/26/2023	STEWART BUSINESS SYSTEMS, LLC	COPIER LEASE	\$	2,579.25
1/26/2023	STRYKER SALES, LLC	CPR 120, BRACKET, AED PLUS	\$	8,208.00
1/26/2023	STRYKER SALES, LLC	FIRE EQUIPMENT	\$	507.45
1/26/2023	STRYKER SALES, LLC	FIRE EQUIPMENT	\$	4,707.85
1/26/2023	SWIF	CLAIM #03157269 REPAYMENT	\$	16,784.00
1/26/2023	TECHGUIDES, INC	ELECTRONIC RECYCLING QUOTE	\$	400.00
1/26/2023	TECHGUIDES, INC	CFD COMPLETE & COMP. SYSTEM	\$	1,272.00
1/26/2023	TECHGUIDES, INC	CFD COMPLETE & COMPREHENSIVE	\$	1,269.00
1/26/2023	TECHGUIDES, INC	EXCHANGE ONLINE PLAN 1	\$	739.50
1/26/2023	TECHGUIDES, INC	PAINLESS BUSINESS CONTINUITY	\$	900.00
1/26/2023	TECHGUIDES, INC	COMPLETE & COMP. WEB HOSTING	\$	1,500.00
1/26/2023	TECHGUIDES, INC	COMPLETE & COMP SYSTEM SUPPORT	\$	2,961.50
1/26/2023	TELVUE CORPORATION	TELVUE CARE SUPPORT COVERAGE	\$	742.50
1/26/2023	TERMINIX CHEMICAL	PEST CONTROL SERVICES	\$	101.00
1/26/2023	VERIZON	NOVEMBER PHONE BILL	\$	984.43
1/26/2023	VERIZON	JAN. 2023 PHONE BILL	\$	1,002.42
1/26/2023	VERIZON	POOL PHONE BILL	\$	99.87
1/26/2023	WELLS FARGO VENDOR FINANCIAL S	COPIER LEASE	\$	1,650.00
1/26/2023	XEROX FINANCIAL SERVICES	CPD COPIER LEASE	\$	3,030.00
1/27/2023	VERIZON	DECEMBER PHONE BILL	\$	984.59
1/27/2023	STRAIGHT TO THE POINT CLEANING	CPD BUILDING CLEANING	\$	6,350.00
			\$	775,556.29

BILL NO. 1

1st READING 1/25/2023

PASSED 2/8/2023
(AS AMENDED)

NO. 1, 2023

A N O R D I N A N C E

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, REPEALING TITLE FIVE – PROPERTY TAX ABATEMENT, ARTICLE 361, ENTITLED “RESIDENTIAL”, IN ITS ENTIRETY, AND ADOPTING A NEW ARTICLE 361 OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, SAID ARTICLE SHALL BE ENTITLED “IMPROVEMENT OF DETERIORATING REAL PROPERTY OR AREAS TAX EXEMPTION ACT (IDRPA)” AUTHORIZING TAX EXEMPTIONS FROM PROPERTY TAX FOR CERTAIN DETERIORATED RESIDENTIAL PROPERTY; DEFINING ELIGIBLE DETERIORATED RESIDENTIAL AREAS; SETTING A MAXIMUM EXEMPTION AMOUNT AND AN EXEMPTION SCHEDULE; AND PROVIDING A PROCEDURE FOR SECURING AN EXEMPTION, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

WHEREAS, the Commonwealth of Pennsylvania adopted an Act known as the “Improvement of Deteriorating Real Property or Areas Tax Exemption Act” (IDRPA), 72 P.S. § 4711-01, *et seq.*, reenacted and amended Aug. 5, 1977, P.L.167, No. 42, authorizing local taxing authorities to exempt the increased assessed valuation of the actual cost of new construction or improvements for deteriorated residential property and deteriorated areas for a term not to exceed ten years; and

WHEREAS, there are deteriorated residential properties within the City of Chester; and

WHEREAS, a public hearing, as required by IDRPA, has been held by the City of Chester regarding the boundaries of the areas containing deteriorated residential property and deteriorated areas.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES
ORDAIN:**

ARTICLE 361
Residential

- 361.01 Definitions.
- 361.02 Exemptions.
- 361.03 Maximum exemption.
- 361.04 Exemption schedule.
- 361.05 Procedures for obtaining exemption.
- 361.06 Effective date. Repealer.
- 361.07 Amendments.

CROSS REFERENCES

Improvement of Deteriorating Real Property or Areas Tax Exemption Act –
See 72 P.S. §4711-01, *et seq.*

361.01 DEFINITIONS.

As used in this article, certain terms are defined as follows:

- (a) “Deteriorated property” means a dwelling unit located in a deteriorating neighborhood, or a dwelling unit which has been or upon request is certified by a health, housing or building inspection agency within the past twenty-four (24) months as unfit for human habitation, for rent withholding, or other health or welfare purposes, or has been the subject of an order by such an agency requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations.
- (b) “Dwelling Unit” means a house, double house or duplex. townhouse or rowhouse, apartment. or any building intended for occupancy as living quarters by an individual, a family or families, or other groups of persons, which living quarters contain a kitchen or other cooking equipment for the exclusive use of the occupant or occupants.
- (b) “Improvement” means the repair, construction or re-construction, including alterations or additions, having the effect of rehabilitating a structure so that it becomes habitable or attains higher standards of housing safety, health or amenity, or is brought into compliance with laws, ordinances or regulations governing housing standards. Ordinary upkeep or maintenance shall not be deemed an improvement.
- (c) “New residential construction” means the building or erection of dwelling units, as defined above, upon vacant lands or land specifically prepared to receive such structures.

- (d) “Deteriorating areas and deteriorated neighborhoods” means the following areas within the City of Chester determined by City Council to be eligible for tax exemption: all parcels within the following Chester City 2020 Census tracts: 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, and 4107, which are determined eligible for tax exemption under IDRPA.

361.02 EXEMPTIONS

- (a) There is hereby exempted from all real property taxation the assessed valuation of:
1. Improvements to deteriorated properties.
 2. Improvements to any residential properties, without regard to whether such properties qualify as deteriorated properties, provided such improvements are constructed within a deteriorated neighborhood.
 3. New residential construction built in any deteriorating area.
- (b) The exemption authorized by this section shall be in the amounts in accordance with the provisions and limitations hereinafter provided.

361.03 MAXIMUM EXEMPTION.

- (a) Exemption from real property taxes shall be limited:
1. To the additional assessment attributable to the actual cost of improvements but not in excess of the maximum cost per dwelling unit specified herein in the case of improvements to deteriorated property.
 2. To the assessment valuation attributable to the cost of construction of the new residential construction but not in excess of the maximum cost per new dwelling unit specified herein in the case of new residential construction within a deteriorating area.
- (b) The maximum cost of improvements to deteriorated dwellings, and new construction of apartments, eligible for exemption shall be the actual cost of construction incurred. The date of the construction shall be the date of issuance of the building permit. No tax exemption shall be granted under the provision of this article for any improvements to any dwelling unit in excess of the actual cost of construction.
- (c) The maximum cost of new residential construction eligible for exemption shall be the actual cost of construction incurred. The date of the construction shall be the date of issuance of the building permit. No tax exemption shall be granted under the provision of this article for any improvements to any dwelling unit in excess of the actual cost of construction.
- (d) In any case, the exemption from taxes shall be limited to that portion of the additional

assessment attributable to the improvement or new construction, as the case may be, for which a separate assessment has been made by the office of the Delaware County Board of Assessment & Appeals and for which an exemption has been separately requested. No tax exemption shall be granted if the property owner does not secure the necessary and proper permits required prior to improving the property. No tax exemption shall be granted if the property, as completed, does not comply with the minimum standards of the Housing Code of the City of Chester.

- (e) In any case, after the effective date of this article where deteriorated property is damaged, destroyed or demolished, by any cause or for any reason, and the assessed valuation of property affected has been reduced as the result of such damage, destruction or demolition, the exemption from real property taxation authorized by this article shall be limited to that portion of the new assessment attributable to the actual cost of improvements or construction that is in excess of the original assessment that existed prior to damage, destruction or demolition of the property. The foregoing provision shall not be deemed to apply to property(ies) the title to which is (are) acquired, subsequent to the effective date of this article, from Delaware County under the Real Estate Tax Sale Law, 72 P.S. 5860 et seq.

361.04 EXEMPTION SCHEDULE.

- (a) Scheduled real estate taxes to be exempted shall be in accordance with the following schedule:

<u>Length</u>	<u>Portion %</u>
First Year	100
Second Year	90
Third Year	80
Fourth Year	70
Fifth Year	60
Sixth Year	50
Seventh Year	40
Eighth Year	30
Ninth Year	20
Tenth Year	10

After the tenth year, the exemption shall terminate.

361.05 PROCEDURES FOR OBTAINING EXEMPTION.

(a) Any person desiring tax exemption pursuant to this article shall apply to the office of the City Treasurer within fifteen days of the time a building permit is issued for construction of the improvement, or new construction, as the case may be. The application must be in writing, on forms specified by the City, setting forth the following information:

- (1) The date the building permit was issued for such improvement;
- (2) The location of the property to be improved;

- (3) The nature of the property to be improved;
- (4) The type of improvement;
- (5) The summary of the plan of the improvement;
- (6) The cost of the improvement;
- (7) Whether the property has been condemned by any governmental body for noncompliance with laws or ordinances;
- (8) That the property has been inspected and verified by the Department of Public Safety;
- (9) Such additional information as the City may require.

There shall be on the form application for building permit the following notice:

NOTICE TO TAXPAYER

(a) by City Ordinance #1-2023, you may be entitled to exemption from tax on your contemplated improvement or new residential construction by re-assessment. The application for exemption may be secured from the office of the City Treasurer and submitted to that office within fifteen (15) days from the time the Building Permit is issued.

(b) A copy of the exemption request shall be forwarded by the City Treasurer to City Council in its capacity as the City's Board of Revision of Taxes. Within sixty days the Board shall determine whether the exemption shall be granted and shall, upon completion of the improvements or new construction, and notification from the Department of Public Safety that the improvements comply with all the applicable building codes, request that the Delaware County Board of Assessment & Appeals assess separately the improvement and calculate the amounts of the assessment eligible for tax exemption in accordance with the limits established by this article and notify the taxpayer and local taxing authorities of the re-assessment and the amount of the assessment eligible for exemption. In the case of new residential construction, the Delaware County Board of Assessment & Appeals shall assess, separately, the dwelling unit and the land upon which the new residential construction stands, and shall otherwise perform its duties as above provided for construction of the improvements. The exemption provided for hereunder shall commence in the tax year immediately following the year in which the building permit is issued.

(c) The cost of improvements and new residential construction to be exempted and the schedule of taxes exempted existing at the time of the initial request for tax exemption shall be applicable to that exemption request, and subsequent amendments to this article, if any, shall not apply to requests initiated prior to their adoption.

(d) Appeals from the re-assessment and the amount eligible for the exemption may be taken by the City or the taxpayer as provided by law.

361.06 EFFECTIVE DATE. REPEALER.

This article shall become effective upon adoption, by another local taxing authority of a resolution by its municipal governing body exempting from real property taxation improvements to deteriorated properties and residential construction in deteriorating areas in accordance with

IDRPA and the terms of this article. All prior ordinances or parts thereof conflicting herewith, are hereby repealed.

Should any provision of this Ordinance be determined to be void, invalid, unenforceable or illegal for whatever reason by a court of competent jurisdiction, such provision(s) shall be null and void; provided, however, that the remaining provisions of the Ordinance shall survive and be unaffected thereby, and shall continue to be valid and enforceable to the maximum extent permitted by law.

361.07 AMENDMENTS.

No amendment to this article shall be effective unless consented to by resolution or ordinance of each taxing authority consenting to be bound by the terms of this article.

WE HEREBY CERTIFY that this Ordinance passed Council this Eighth day of February, A.D. 2023.

MAYOR

ACTING CITY CLERK

BILL NO. 2
1st READING 1/25/2023
PASSED 2/8/2023
(AS AMENDED)

NO. 2 - 2023

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, REPEALING IN ITS ENTIRETY, ARTICLE 363, ENTITLED “INDUSTRIAL AND COMMERCIAL” OF TITLE FIVE – PROPERTY TAX ABATEMENT, AND ADOPTING A NEW ARTICLE 363 OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED; SAID ARTICLE SHALL BE ENTITLED, “LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE LAW (LERTA)”, AUTHORIZING TAX EXEMPTIONS FROM PROPERTY TAX FOR CERTAIN DETERIORATED INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY; DEFINING ELIGIBLE DETERIORATED AREAS; SETTING A MAXIMUM EXEMPTION AMOUNT AND AN EXEMPTION SCHEDULE; AND PROVIDING A PROCEDURE FOR SECURING AN EXEMPTION, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

WHEREAS, on December 1, 1977, Act # 76, the Local Economic Revitalization Tax Assistance Law (LERTA), 72 P.S. § 4722, *et seq.*, authorizing the exemption from tax on improvements to certain deteriorated industrial, commercial, and other business property was duly approved by the Governor of the Commonwealth of Pennsylvania; and

WHEREAS, there are deteriorated industrial, commercial and other business properties within the City of Chester; and

WHEREAS, a public hearing, as required by Act 76, has been held by the City of Chester regarding the boundaries of the areas containing deteriorated industrial, commercial, and other business properties.

NOW THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

ARTICLE 363
Industrial and Commercial

363.01 Definitions.
363.02 Exemptions.

- 363.03 Exemption schedule.
- 363.04 Procedure for obtaining exemption.
- 363.05 Effective date. Repealer.
- 363.06 Amendments.

CROSS REFERENCE

Local Economic Tax Assistance Act - see 72 P. S. § 4722 et seq.

363.01. DEFINITIONS

As used in this article, certain terms are defined as follows:

- (a) “Deteriorated Property” shall mean any industrial, commercial or other business property located in an eligible deteriorated area, as defined hereinafter, or any such property which has been the subject of an order of a governmental agency issued within the past twenty-four (24) months requiring the property to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations.
- (b) “Improvement” or “Improvements” shall mean any repair, new construction or reconstruction, including alterations and additions, having the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standards of safety, health, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep and maintenance shall not be deemed an improvement.
- (c) “Deteriorated Areas” shall mean all parcels within the following Chester City 2020 Census tracts: 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, and 4107, which are determined eligible for tax exemption under LERTA.

363.02. EXEMPTIONS

- (a) There is hereby exempted from all real property taxation that portion of the additional assessment attributable to the actual costs of improvements to deteriorated property during any ten-year period, which ten-year period shall commence with the effective date of such exemption as more particularly described in Section 363.04(b).
- (b) In any case, after the effective date of this section, where deteriorated property is damaged, destroyed or demolished by any cause or for any reason and the assessed valuation of the property affected, has been reduced as the result of

such damage, destruction or demolition, the exemption from real property taxation authorized by this article shall be limited to that portion of the new assessment attributable to the actual cost of the improvements or construction that is in excess of the original assessment that existed prior to the damage, destruction, or demolition of the property. The foregoing provision shall not be deemed to apply to property(ies) the title to which is (are) acquired, subsequent to the effective date of this section, from Delaware County under the provisions of the Real Estate Tax Sale Law, 72 P. S. § 5860 et seq.

- (c) The exemption authorized by this section shall be in accordance with the provisions and limitations hereinafter provided.

363.03. EXEMPTION SCHEDULE.

- (a) The schedule of real estate taxes to be exempted shall be in accordance with the following percentage of improvements to be exempted each year:

<u>Length</u>	<u>Portion %</u>
First Year	100
Second Year	90
Third Year	80
Fourth Year	70
Fifth Year	60
Sixth Year	50
Seventh Year	40
Eighth Year	30
Ninth Year	20
Tenth Year	10

After the tenth year, the exemption shall terminate.

- (b) The exemption from taxes granted under this article shall be upon the property and shall not terminate upon the sale or exchange of the property.
- (c) If an eligible property is granted tax exemption pursuant to this article the improvement shall not, during the exemption period, be considered factor in assessing other properties.

363.04. PROCEDURE FOR OBTAINING EXEMPTION.

- (a) Any person desiring tax exemption pursuant to this article shall apply to the office of the City Treasurer within fifteen (15) days of the time a building permit issued for construction of the improvement; or new construction, as the

case may be. The application must be in writing, on forms specified by the City, setting forth the following information:

- (1) The date the building permit was issued for such improvements
- (2) The location of the property to be improved;
- (3) The nature of the property to be improved;
- (4) The type of improvement;
- (5) The summary of the plan of the improvement;
- (6) The cost of the improvement;
- (7) Whether the property has been condemned by any governmental body for noncompliance with laws or ordinances;
- (8) That the property has been inspected and verified by the Department of Public Safety;
- (9) Such additional information as the City may require.

There shall be on the form application for building permit the following notice:

“NOTICE TO TAXPAYERS - By Ordinance #2-2023, you may be entitled to exemption from tax on your contemplated Improvement or new construction by reassessment, an application for exemption may be secured from the Office of the City Treasurer within fifteen (15) days from the time the building permit is issued.”

- (b) A copy of the exemption request shall be forwarded to Chester City Council in its capacity as the City's Board of Revision of Taxes. Within sixty days the Board shall determine whether the exemption shall be granted and shall, upon completion of the improvements or new construction, and notification from the Department of Public Safety that the improvements comply with all of the applicable building codes, request that the Delaware County Board of Assessment & Appeals assess separately the improvement and calculate the amounts of the assessment eligible for tax exemption in accordance with the limits established by this article and notify the taxpayer and the local taxing authorities of the re-assessment and the amount of the assessment eligible for exemption. In the case of new construction, the Delaware County Board of Assessment & Appeals shall assess separately the improvement and the land upon which the new construction stands, and shall otherwise perform its duties as above provided for construction of the improvements. The exemption provided for hereunder shall commence in the tax year immediately following the year in which the building permit is issued.
- (c) The cost of improvements and new construction to be exempted and the schedule of taxes exempted existing at the time of the initial request for tax

exemption shall be applicable to that request, and subsequent amendment(s) to this article, if any, shall not apply to requests initiated prior to their adoption.

- (d) Appeals from the re-assessment and the amount eligible for the exemption may be taken by the City or the taxpayer as provided by law.

363.05. EFFECTIVE DATE. REPEALER.

- (a) This article shall become effective upon adoption by another local taxing authority of a resolution by its municipal governing body exempting from real property taxation, improvements to properties in accordance with the terms of this article.
- (b) This Ordinance shall repeal any and all Ordinances or parts of Ordinances inconsistent herewith.
- (c) Should any provision of this Ordinance be determined to be void, invalid, unenforceable or illegal for whatever reason by a court of competent jurisdiction, such provision(s) shall be null and void; provided, however, that the remaining provisions of the Ordinance shall survive and be unaffected thereby, and shall continue to be valid and enforceable to the maximum extent permitted by law.

363.06. AMENDMENTS.

No amendment to this article shall be effective unless consented to by resolution or ordinance of each taxing authority consenting to be bound by the terms of this article.

WE HEREBY CERTIFY that this Ordinance passed Council this Eight day of February, A.D. 2023.

MAYOR

ACTING CITY CLERK