

RESOLUTION NO. 2014-133

A RESOLUTION ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A "COMMUNITY REINVESTMENT AREA", DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, ESTABLISHING A HOUSING COUNCIL, AND MAKING FINDINGS AND DETERMINATIONS PURSUANT TO SECTIONS 3735.65 THROUGH 3735.70

WHEREAS, the Council and Administration of the Village of Fairport Harbor desire to pursue all reasonable and legitimate incentive measures to assist in encouraging housing maintenance and economic and community development in areas that have not enjoyed reinvestment by remodeling or new construction; and

WHEREAS, a survey of housing as specified in Section 3735.66, Ohio Revised Code, has been conducted; and

WHEREAS, areas were found that contain housing facilities of structures of historical significance within the Village, and wherein new housing construction and repair of existing facilities or structures are discouraged with the entire Village; and

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

WHEREAS, the results of the housing survey are incorporated into this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF FAIRPORT HARBOR, COUNTY OF LAKE, STATE OF OHIO, AS FOLLOWS:

Section 1. That, for purposes of fulfilling the requirements set forth under Sections 3735.65 through 3735.70 inclusive, Ohio Revised Code, that the Council hereby establishes a "Community Reinvestment Area" as follows:

The entire Village shall constitute the Community Reinvestment Area.

Section 2. That the Council hereby determines that the area included within the foregoing description as the Community Reinvestment Area is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged.

SECTION 3. That, within the Community Reinvestment Area, tax exemptions in the amount of 100% for improvements to residential real property as described in Section 3735.67, Ohio Revised Code, will be granted for the following periods:

- a) Ten (10) years for every residential dwelling containing not more than two family units located within the community reinvestment area described above and upon which the cost of remodeling is at least two thousand five hundred dollars (\$2,500.00), as described in Division (D)(1) of Section 3735.67 of the Ohio Revised Code, unless extended pursuant to the requirements of division (D)(3) of Revised Code Section 3735.67.
- b) Twelve (12) years for every dwelling containing more than two units, upon which the cost of remodeling is at least five thousand dollars (\$5,000.00), as described in Division (D)(2) of Section 3735.67 of the Ohio Revised Code, unless extended pursuant to the requirements of division (D)(3) of Revised Code Section 3735.67.
- c) Fifteen (15) years for every new dwelling containing not more than two family units as described in Division (D)(3) of Section 3735.67 of the Ohio Revised Code.

SECTION 4. A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of the Mayor or his designee; a member of Village Council, appointed by the president of Village Council; the county auditor or the county auditor's designee; a representative of each affected Board of Education that is appointed by the Board of Education of each affected school district; the Village Fiscal Officer or her designee; an individual appointed by the Fairport Harbor Exempted Village Board of Education; and two members of the public appointed by the Mayor with the concurrence of the legislative authority. At least four members of the council shall be residents of the Village, and at least one of the two public members appointed by the Mayor shall be a minority. As used in

this Section, a "minority" is an individual who is African-American, Hispanic, or Native American. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to the Village Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

SECTION 5. That the Village Administrator be, and he hereby is, designated as the housing officer, and he shall have such duties and powers as contained in Sections 3735.65 through 3735.70 of the Ohio Revised Code, inclusive.

SECTION 6. There is hereby created a Housing Council for the areas as described in Section 1 herein. Said Council shall consist of two (2) members appointed by the Mayor, two (2) members appointed by the legislative authority, and one (1) member appointed by the Planning Commission; The majority of the foregoing members appointed shall then appoint two (2) additional members who shall be residents within the areas of the community Reinvestment Area designated herein. Said terms of office shall be as set forth in Section 3735.69, Ohio Revised Code.

SECTION 7. That the Clerk of Council shall forward a copy of this Resolution to the Lake County Auditor for his information and reference.

SECTION 8. That the Clerk of Council shall cause a copy of this Resolution in a newspaper of general circulation in Village once a week for two consecutive weeks.

SECTION 9. That the Clerk of Council not later than fifteen (15) days after the adoption of the Resolution, shall petition the State of Ohio Director of Development for the director to confirm the findings described in the Resolution. The petition shall be accompanied by a copy of the Resolution and by a map of the Community Reinvestment Area in sufficient detail to denote the specific boundaries of the area and to indicate zoning restrictions applicable to the area.

Section 10. That all formal actions of this Council concerning the passage of this Resolution were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

WHEREFORE, this Resolution shall be in full force and effect as provided by law.

Passed by Council this _____ day of _____, 2014

MAYOR TIMOTHY S. MANROSS

ATTEST:

FISCAL OFFICER

ADOPTED _____