

ORDINANCE 2011- 48R

AN ORDINANCE IMPLEMENTING  
SECTIONS 3735.65 AND 3735.70 OF THE  
OHIO REVISED CODE, ESTABLISHING AND  
DESCRIBING THE BOUNDARIES OF  
COMMUNITY REINVESTMENT AREA IN THE  
CITY OF WAPAKONETA, DESIGNATING A  
HOUSING OFFICER TO ADMINISTER THE  
PROGRAM, AND CREATING A COMMUNITY  
REINVESTMENT AREA HOUSING COUNCIL  
AND A TAX INCENTIVE REVIEW COUNCIL,  
AND PROVIDING RELATED AUTHORIZATIONS

| FIRST<br>READ | SECOND<br>READ | THIRD<br>READ |               |               |    |                                     |
|---------------|----------------|---------------|---------------|---------------|----|-------------------------------------|
| 8-15-2011     | 9-12-2011      | 9-19-2011     |               |               |    |                                     |
|               |                |               | J NEUMEIER    | YES           | NO | ADOPT<br>YES NO                     |
|               |                |               | D, LEE        | <i>Absent</i> |    | <input checked="" type="checkbox"/> |
|               |                |               | B WURST       |               |    | <input checked="" type="checkbox"/> |
|               |                |               | D GRAF        |               |    | <input checked="" type="checkbox"/> |
|               |                |               | W WELLS       |               |    | <input checked="" type="checkbox"/> |
|               |                |               | S WALTER      |               |    | <input checked="" type="checkbox"/> |
|               |                |               | T FINKELMEIER |               |    | <input checked="" type="checkbox"/> |
|               |                |               | TOTAL         |               |    | 6 0                                 |

**WHEREAS**, the Council of the City of Wapakoneta (hereafter “Council”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City of Wapakoneta that have not enjoyed reinvestment from remodeling or new construction; and

**WHEREAS**, a survey of housing, a copy of which is on file in the office of the Director of Public Service and Safety as required by Ohio Revised Code (ORC) 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area; and

**WHEREAS**, the maintenance of existing 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 the Council of the City of Wapakoneta, County of Auglaize, State of Ohio, to-wit:

**SECTION ONE**

**That**, the area designated as the City of Wapakoneta Community Reinvestment Area 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 TWO**

**That**, pursuant to ORC §3735.66, the City of Wapakoneta Community Reinvestment Area is hereby established as the incorporated area of the City of Wapakoneta. The Community Reinvestment Area is approximately depicted as the crosshatched area on the map attached to this Ordinance (see Exhibit “A”) and by this reference incorporated herein. Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program.

**SECTION THREE**

**That**, all properties identified in Exhibit “A” as being within the designated Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Wapakoneta intends to undertake supporting public improvements in the designated area.

**SECTION FOUR**

**That**, within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from the improvements to commercial and

A Tax Incentive Review Council (TIRC) shall be established pursuant to ORC §5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the municipal corporation appointed by the Mayor of Wapakoneta with Council concurrence, the county auditor or designee, and a representative of each affected Board of Education. At least two members must be residents of the City of Wapakoneta. The Tax Incentive review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvement under ORC §3735.671 and make written recommendations to the City Council as to continuing, modifying or terminating said agreement upon the performance of the agreement.

#### **SECTION EIGHT**

**That,** the City Council reserves the right to re-evaluate the designation of the Wapakoneta Community Reinvestment Area in December of each year at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in ORC §3735.67.

#### **SECTION NINE**

**That,** as required by ORC §3735.66, the Safety Service Director of the City is hereby authorized and directed to publish this Ordinance in a newspaper of general circulation in the City once a week for two consecutive weeks immediately following its adoption.

#### **SECTION TEN**

**That,** as required by ORC §3735.66, the Safety Service Director of the City is hereby authorized and directed to petition the Director of the Ohio Department of Development for confirmation of the boundaries of the Community Reinvestment Area no later than 15 days after the adoption of this Ordinance.

#### **SECTION ELEVEN**

**That,** the City Council hereby cancels the three existing CRAs in the City, which CRAs were established by Resolution Nos. 78-12, 85-31, and Ordinance No. 95-13. That legislation is hereby rescinded, and no CRA exemptions shall be available pursuant to the terms of that legislation from the effective date of this Ordinance. The Safety Service Director of the City is hereby authorized and directed to seek rescission of any boundary confirmations for those three CRAs from the Director of the Ohio Department of Development in connection with the petition for confirmation of the boundaries for the CRA established by this Ordinance, as described in Section Ten of this Ordinance.

#### **SECTION TWELVE**

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

#### **SECTION THIRTEEN**

**That,** this Ordinance shall take effect and be enforced from and after the earliest period allowed by law and upon confirmation by the Director of Development of the findings in this Ordinance.

#### **SECTION FOURTEEN**

**That,** the Mayor of Wapakoneta is hereby directed and authorized to petition the Director of Development to confirm the findings contained within this Ordinance.

**EXHIBIT A**

Depiction and Description of Community Reinvestment Area Boundaries  
(attached hereto)