

ORDINANCE NO. 32-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA (CRA) TAX EXEMPTION AGREEMENT WITH CHICK-FIL-A, Inc., AND DECLARING AN EMERGENCY IN ORDER TO FACILITATE CONSTRUCTION AS EARLY AS POSSIBLE.

WHEREAS, pursuant to Ordinance No. 1-2015, passed February 23, 2015, this Council established and designated the boundaries of the New Philadelphia Community Reinvestment Area pursuant to Ohio Revised Code §3735.65 et seq., to encourage the development of real property within the CRA; and

WHEREAS, the State of Ohio Director of Development has made a determination that the findings contained in Ord. No. 1-2015 are valid, and that the classification of structures and/or remodeling eligible for exemption under the Ordinance is consistent with zoning restrictions applicable to the CRA, and

WHEREAS, with receipt of the Director's positive determination, the City is enabled to abate certain taxes on real property located in the CRA, in order to provide an incentive for the creation and retention of jobs and investment within the CRA; and

WHEREAS, this Council has determined to provide economic development assistance in the form of tax abatement to Chick-fil-A Inc. in connection with development of a new commercial building to be located at 1256 West High Ave, New Philadelphia, OH 44663, hereinafter the "Project",

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, COUNTY OF TUSCARAWAS, AND STATE OF OHIO, THAT:

SECTION 1: The Mayor is hereby authorized to enter in a Community Reinvestment Area tax exemption agreement in accordance with the Ohio Revised Code §§3735.67 and 3735.671, with Chick-fil-A Inc. consistent with Ordinance No. 1-2015 and the terms set forth in the application for tax exemption attached hereto as Exhibit A, in order to provide the Project with an exemption from real property tax at (or not exceeding) the percentage and for (or not exceeding) the duration stipulated in said application.

SECTION 2: This Council further authorizes the Mayor, Director of Finance (Auditor), Service Director, Director of Law and any other city officials, individually and/or collectively as may be appropriate, to prepare and execute such other documents and do other things as are necessary or incidental to carrying out the requirements of this legislation consistent with the terms of the attached application.

SECTION 3: Any ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions are not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Chapters 121, 122, and 123 of the Codified Ordinances.

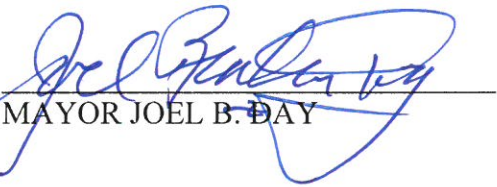
SECTION 5: This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of New Philadelphia and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED: Dec 9, 2024


DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:

JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:

MAYOR JOEL B. DAY

SPONSORED BY: PUBLIC WORKS AND ECONOMIC DEVELOPMENT COMMITTEE