

**RESOLUTION R-2012-80
LUZERNE COUNTY COUNCIL**

A Resolution by the Luzerne County Council Authorizing the Exemptions, Deductions, Abatements and credits for Real Property, Earned Income Tax, Net Profits Mercantile, and Business Privilege Taxes Within a Specific Geographic Area in Luzerne County (71-T8SW42-0002-005 and 40-71-T8SW31-016-001) Designed as a Proposed Expansion of a Contiguous Existing Keystone Opportunity Expansion Zone (“KOEZ”) or Keystone Opportunity Improvement Zone (“KOIZ”), as Appropriate, in Order to Foster Economic Opportunities, Stimulate Industrial, Commercial, and Residential Improvements and Prevent Physical and Infrastructure Deterioration within the Designated Areas of Luzerne County, Commonwealth of Pennsylvania, Upon Certain Terms and Conditions.

WHEREAS, Luzerne County recognized the need to encourage investment in a defined geographical area of the County (Parcels 71-T8SW42-0002-005 and 40-71-T8SW31-016-001) that is experiencing distress characterized by one or more of the following: high unemployment, low investment of new capital, blighted conditions, underutilized, obsolete or abandoned industrial commercial and residential structures, deteriorated tax base; and

WHEREAS, the Expansion Parcel(s) is contiguous to an existing KOEZ or KOIZ; and

WHEREAS, the Expansion Parcel(s) does not exceed fifteen (15) acres; and

WHEREAS, the Expansion Parcel(s) is deteriorated, underutilized or unoccupied; and

WHEREAS, the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act (Act of October 6, 1998, P.L. 705, No. 92), as amended, hereinafter referred to as the “Act,” authorizes political subdivisions to apply to the Pennsylvania Department of Community and Economic Development (DCED) for designation of an area within the respective political subdivisions as an expansion of a existing KOEZ or KOIZ, granting exemptions, deductions, abatements or credits from all local taxes identified in the Act; and

WHEREAS, approval of the benefits provided in the Act will result in improving the economic, physical, and social conditions within the proposed expansion to the existing KOEZ or KOIZ by stimulating businesses to retain and to create new jobs and to diminishing blight; and

WHEREAS, it is expected that increased private and public-sector investors will reverse the disinvestment and conditions of blight within the KOEZ or KOIZ, as expanded, by the termination of the expanded zone under the Act; and

WHEREAS, approval of the proposed expansion of the KOEZ or KOIZ is expected to increase job creation or capital investment with the such zone or subzone.

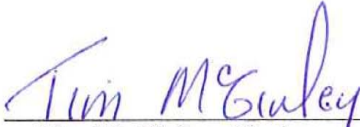
NOW, THEREFORE, BE IT RESOLVED by the Council of, Luzerne County that effective as of September 25, 2012, contingent only upon DCED's approval of the application for the Expansion Parcel to be included in the existing KOEZ or KOIZ, the following provisions shall apply:

1. Real Property Tax on the Expansion Parcel is 100% exempt in accordance with the provisions and limitations hereinafter set forth in accordance with the Act, such exemption to terminate on the date, which is ten years from the date DCED approves inclusion of the Expansion Parcel in the existing KOEZ or KOIZ.
2. Earned Income and Net Profits Taxes; Business Privilege and Mercantile Taxes. The County of Luzerne also waives business gross receipts tax for operations conducted by a qualified business; earned income received by a resident and/or net profits of a qualified business received by a resident or nonresident of the proposed expanded KOEZ or KOIZ attributable to business activity conducted with said zone terminating on the date which is ten years from the date DCED approves inclusion of the Expansion Parcel in the existing KOEZ or KOIZ.
3. The provisions of the Act not herein enumerated, shall, nevertheless, be incorporated as part of this Ordinance by reference.
4. This resolution shall be effective upon execution, conditioned upon the approval of the application by DCED.

ADOPTED at a meeting of the Luzerne County Council held on September 25, 2012

LUZERNE COUNTY COUNCIL

Attest: 
Brittany M. Burgess, Clerk of Council

By: 
Tim McGinley, Chairman


Robert C. Lawton, County Manager