

ORDINANCE NO. 1035
BOROUGH OF HATBORO
MONTGOMERY COUNTY, PENNSYLVANIA

**AN ORDINANCE DESIGNATING CERTAIN DETERIORATED AREAS WITHIN THE
BOROUGH PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX
ASSISTANCE ACT ("LERTA").**

WHEREAS, the Borough Code, 53 P.S. § 45101, *et seq.*, authorizes the Borough Council of the Borough of Hatboro ("Borough Council") to make, adopt, and amend ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough of Hatboro ("Borough") and its citizens;

WHEREAS, the Borough is a local taxing authority, authorized by the Local Economic Revitalization Tax Assistance Act, the Act of December 1, 1977, P.L. 237, No. 76, (72 P.S. §4722 *et seq.*) ("LERTA") to provide tax exemption for new construction in deteriorated areas of economically depressed communities and for improvements to certain deteriorated residential, industrial, commercial and other business properties; and

WHEREAS, Borough Council may affix the boundaries of a deteriorated area or areas, wholly or partially located within its jurisdiction, for the purpose of exempting from real estate taxation, for specified periods, improvements of certain deteriorated industrial, commercial and other business property, as authorized by LERTA; and

WHEREAS, Borough Council held a public hearing on July 25, 2016 for the purpose of determining the boundaries of deteriorated areas within the Borough; and

WHEREAS, Borough Council desires to encourage new residential, industrial, commercial, and business development in these deteriorated areas through the use of tax exemptions;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Hatboro, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. DESIGNATION OF PROPERTY. The Borough Council of the Borough of Hatboro hereby designates the boundaries of the designated deteriorated area qualifying for temporary tax abatement from the Borough of Hatboro as the property more particularly bounded and described as set forth in Exhibit "A".

SECTION 2. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS. The Council of the Borough of Hatboro does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. FAILURE TO ENFORCE NOT A WAIVER. The failure of the Borough of Hatboro to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

SECTION 7. ENACTMENT. Under the authority conferred by the Borough Code and other relevant statutory law, the Council of the Borough of Hatboro in the County of Montgomery, Commonwealth of Pennsylvania does hereby ordain and enact this Ordinance for the Borough of Hatboro, this 25 day of July, 2016.

Approved by the Borough Council of the Borough of Hatboro, this 25th day of July, 2016.

ATTEST:

Alfred Zollers
Alfred Zollers, Secretary

BOROUGH OF HATBORO:

By: William Tompkins
William Tompkins, Council President

Examined and approved as an Ordinance, this 25 day of July, 2016.

Norm Hawkes
Norm Hawkes, Mayor

EXHIBIT "A"

ALL THAT CERTAIN tract or piece of ground with the buildings and improvements thereon erected, Situate in the Borough of Hatboro, County of Montgomery and State of Pennsylvania, bounded and described according to a Plan of Survey made by George B. Mebus, Registered Professional Engineer, Glenside Pa., dated February 5, 1948 and February 11, 1948 as follows, to wit:

BEGINNING at a point of intersection which the said Southwesterly side of Meadowbrook Avenue (40 feet wide) produced, makes with the center line of Jacksonville Road (50 feet wide); Thence along the said center line of Jacksonville Road, South 45 degrees 04 minutes West 328.49 feet to a point; Thence through land of the Roberts and Mander Corporation of which this was a part, the thirteen following courses and distances: (1) North 44 degrees 34 minutes West 146.01 feet to a point; Thence (2) North 41 degrees 21 minutes 40 seconds West 20.03 feet to a point; Thence (3) North 40 degrees 40 minutes 30 seconds West 29.33 feet to a point; Thence (4) North 32 degrees 47 minutes 30 seconds West 50.42 feet to a point; Thence (5) North 30 degrees 38 minutes 40 seconds West 20 feet to a point; Thence (6) North 26 degrees 04 minutes West 19.80 feet to a point; Thence (7) North 21 degrees 24 minutes 50 seconds West 22.75 feet to a point; Thence (8) North 51 degrees 16 minutes West 37.39 feet to a point; Thence (9) North 10 degrees 51 minutes West 20 feet to a point; Thence (10) North 07 degrees 37 minutes West 20.03 feet to a point; Thence (11) North 03 degrees 47 minutes West 15.96 feet to a point; Thence (12) South 87 degrees 55 minutes East 15 feet to a point and Thence (13) North 02 degrees 05 minutes East 91.12 feet to a point on the Southeasterly side of the right of way of the Northeast Pennsylvania Railroad (60 feet wide); Thence along the same North 30 degrees 56 minutes East 149.03 feet to a cornerstone set on the aforementioned Southwesterly side of Meadowbrook Avenue; Thence along the same South 47 degrees 18 minutes East 468.46 feet to the place of beginning.

BEING known as 301 Jacksonville Road.

BEING Parcel No. 08-00-02632-00-6 (Block 041, Unit 003)

I attest that this is a true and correct copy of the proposed Ordinance titled:

**AN ORDINANCE AMENDING CHAPTER 24, "TAXATION;
SPECIAL" OF THE BOROUGH OF HATBORO CODE OF
ORDINANCES, TO CREATE PART 6, TITLED "LOCAL
ECONOMIC REVITALIZATION TAX ASSISTANCE ACT",
AND PROVIDING FOR AN EXEMPTION SCHEDULE AND
ESTABLISHING STANDARDS AND QUALIFICATIONS
FOR PARTICIPANTS PURSUANT TO THE LOCAL
ECONOMIC REVITALIZATION TAX ASSISTANCE ACT
("LERTA").**

that is to be considered for enactment and is the subject matter of public hearing before the
Borough Council of the Borough of Hatboro on July 25, 2016.



Bernadette A. Kearney, Esq.

Office of the Solicitor

Borough of Hatboro, Montgomery County

Date: July 8, 2016