

No.: **G**

BOROUGH OF LANSDALE, PA.
COUNCIL, MOTION, RESOLUTION OR AS-OF-RECORD FORM

Motion (X)

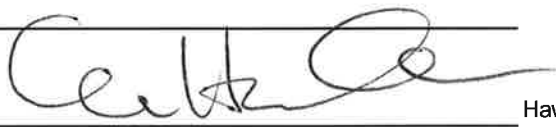
Resolution ()

Record statement ()

Check one of the above with an (X)

Date: June 20, 2018

I move that: Borough Council adopt the attached Ordinance 1914 repealing ordinance 2018-1912 and
amending the Borough Code to add two (2) new tiers to the Economic Development Incentives and
accompanying criteria to qualify for reduced land development and building permit fees and reduced
electric rates.

Presented by:  Hawkins

Seconded by:  Angelichio

**LANSDALE BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018-1914

AN ORDINANCE OF LANSDALE BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NO. 2018-1912 AND AMENDING THE CODE OF ORDINANCES OF LANSDALE BOROUGH TO ADD TWO (2) NEW TIERS TO THE ECONOMIC DEVELOPMENT INCENTIVES AND ACCOMPANYING CRITERIA TO QUALIFY FOR REDUCED LAND DEVELOPMENT AND BUILDING PERMIT FEES AND REDUCED ELECTRIC RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Lansdale Borough Council has enacted the Code of Ordinances of Lansdale Borough which contains, *inter alia*, Chapter 123 entitled, "Economic Development Incentives"; and

WHEREAS, On May 16, 2018, Council enacted Ordinance No. 2018-1912 which amended Chapter 123 of the Code of Ordinances of Lansdale Borough to add two new tiers to the economic development incentives and accompanying criteria to qualify for reduced land development and building permit fees and reduced electric rates; and

WHEREAS, Council desires to revise the electric discount rates and time periods for those discounts from those established by Ordinance No. 2018-1912 in an effort to expand the opportunity for businesses to take advantage of economic incentives; and

WHEREAS, Borough Council has determined that it is in the best interests of the health, safety, and welfare of the residents of Lansdale Borough to offer economic incentives to businesses in Lansdale Borough to maintain a vibrant economy and a robust tax base;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by Lansdale Borough Council, an it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

- I. Ordinance No. 2018-1912 is hereby repealed in its entirety.
- II. Section 123-103 of the Code of Ordinances of Lansdale Borough is amended to add two (2) new subsections as follows, and to re-letter existing subsections A. through D. as C. through F.:

"A. The incentives described in §123-104.A. hereinbelow shall be available to any business that:

1. Invests, during the calendar year in which Application is made for incentives under the Economic Development Incentive Ordinance, Fifty Thousand Dollars (\$50,000.00) or more in constructing or refurbishing one or more Facilities and/or Equipment to be used or housed in a Facility; and

2. Employs or creates a minimum of five (5) Full-time Positions and/or Full-time Equivalent Positions in the Borough during the first full calendar year of operation in which

Application is made for Economic Development Incentives and continues to employ said minimum number of employees during the applicable incentive period set forth below.

B. The incentives described in §123-104.B. hereinbelow shall be available to any business that:

1. Invests, during the calendar year in which Application is made for incentives under the Economic Development Incentive Ordinance, Two Hundred Fifty Thousand Dollars (\$250,000.00) or more in constructing or refurbishing one or more Facilities and/or Equipment to be used or housed in a Facility; and

2. Employs or creates a minimum of five (5) Full-time Positions and/or Full-time Equivalent Positions in the Borough during the first full calendar year of operation in which Application is made for Economic Development Incentives and continues to employ said minimum number of employees during the applicable incentive period set forth below.”

III. Section 123-104 of the Code of Ordinances of Lansdale Borough is amended to add two (2) new subsections as follows, and to re-letter existing subsections A. through D. as C. through F.:

“A. Businesses qualifying under §123-103.A.

1. Development Fees may be reduced by twenty-five percent (25%).

2. If the Business is a new or existing Borough of Lansdale electric customer, it shall be eligible to receive a monthly credit equivalent to five percent (5%) of its total electric bill (including the basic customer charge, demand charges, and energy charges) for a period of two (2) years (the “Incentive Period”) after approval of the Borough Council in accordance with §123-105.B. or §123-106.B. provided that the Business does not reduce its number of Full-time Positions or Full-time Equivalent Positions in the Borough of Lansdale during the incentive period.

B. Businesses qualifying under §123-103.B.

1. Development Fees may be reduced by twenty-five percent (25%).

2. If the Business is a new or existing Borough of Lansdale electric customer, it shall be eligible to receive a monthly credit equivalent to five percent (5%) of its total electric bill (including the basic customer charge, demand charges, and energy charges) for a period of three (3) years (the “Incentive Period”) after approval of the Borough Council in accordance with §123-105.B. or §123-106.B. provided that the Business does not reduce its number of Full-time Positions or Full-time Equivalent Positions in the Borough of Lansdale during the incentive period.”

IV. Newly re-lettered Section 123-104.C.2 is amended to change reference to “two (2) years” to read, “four (4) years”.

V. Newly re-lettered Section 123-104.E.2. is amended to change reference to “five (5) years” to read, “seven (7) years”.

VI. All provisions of Section 123 of the Code of Ordinances of Lansdale Borough not affected by this Ordinance shall remain in full force and effect.

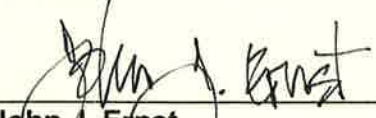
VIII. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

IX. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Code of Ordinances of Lansdale Borough.

X. This Ordinance shall become effective five (5) days following its legal enactment.

ENACTED and ORDAINED this 20th day of June, 2018.

ATTEST,

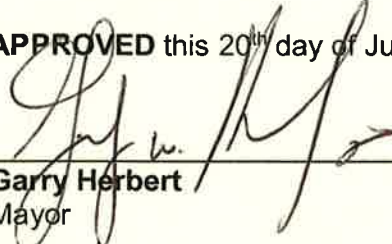


John J. Ernst
Borough Secretary

LANSDALE BOROUGH COUNCIL


Denton Burnell
Council President

APPROVED this 20th day of June, 2018:



Garry Herbert
Mayor