

ORDINANCE NO. 143

**HANOVER TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

AN ORDINANCE OF HANOVER TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, AUTHORIZING THE EXEMPTION OF IMPROVEMENTS TO CERTAIN DETERIORATED INDUSTRIAL, COMMERCIAL AND OTHER BUSINESS PROPERTY, PROVIDING FOR AN EXEMPTION SCHEDULE AND ESTABLISHING STANDARDS AND QUALIFICATIONS.

WHEREAS, the Board of Supervisors of Hanover Township desires to make provision for the exemption of deteriorated properties within the Township from property tax assessment increases for a period of time following the improvement of these properties; and

WHEREAS, the Board of Supervisors of Hanover Township recognizes the need to encourage the rehabilitation of deteriorated business, commercial and industrial properties within the Township, and the need to encourage new construction in deteriorated areas of economically depressed communities; and

WHEREAS, the Local Economic Revitalization Assistance Act, Act 76 of 1977, 72 P.S. §4722, et.seq. provides authority to enact Ordinances relating to the subject of this Ordinance and the procedure thereof.

NOW THEREFORE, pursuant to the authority conferred upon it through the various Acts of the legislature of the Commonwealth of Pennsylvania, the Supervisors of Hanover Township, Washington County, Pennsylvania, does hereby enact this Ordinance as aforementioned by ENACTING AND ORDAINING the following:

SECTION. 1. SHORT TITLE.

This Ordinance shall be known as the “Hanover Township Commercial Property Revitalization Tax Exemption Ordinance of 2025.”

SECTION 2. GENERAL SCOPE.

The subject of matter of this Ordinance is the establishment of regulations relating to the exemption of improvements to certain deteriorated industrial, commercial and other business property, providing for an exemption schedule and establishing standards and qualifications.

SECTION 3. DEFINITIONS.

For the purposes of this Ordinance, the following words, when used herein, shall have the following meanings:

Assessment Agency – The Washington County Tax Assessment Office.

Board of Supervisors – the Board of Supervisors of Hanover Township, Washington County, Pennsylvania.

Commercial Construction – Means the erection of a building or buildings on formerly unoccupied land or on which formerly existed, having been demolished or razed, any other structure for any commercial or residential purpose, which erection consists of commercial unit or units designed to bring about business activity. Commercial construction shall not be construed to include improvements, repairs, maintenance or rehabilitation of existing structures.

Deteriorated Property – Any industrial, commercial or other business property owned by an individual, association or corporation, and located in a deteriorating area, as hereinafter provided, or any such property which has been the subject of an order by a government agency requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations.

Economic Investment Area – those areas within Hanover Township, the boundaries of which have been fixed by the Hanover Township Supervisors to include all areas in the Industrial and Business District (I-B), Highway Commercial (C-1) and Special Development

District (S-D), plus any other business or industrial use approved by the Board of Supervisors in any other zoning district, in which improvements to deteriorated property are eligible for tax exemption.

Economic Investment Property – any industrial, commercial or other business property owned by an individual, association or corporation, and located in an Economic Investment Area, or any such property which has been the subject of an order by a government agency requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinance or regulations.

Improvements – Means, repair, construction or reconstruction, including alterations and additions, having the effect of rehabilitating a deteriorated property so that it becomes habitable or attains a higher standard of safety, health or economic use, or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep and maintenance shall not be deemed an improvement.

Local Taxing Authority – is the Township of Hanover having authority to levy real property taxes.

Taxpayer – Any natural person, partnership, unincorporated association, or corporation, nonprofit or otherwise, and any duly designated agent, successor or assign, of any of the above, possessing a legal or equitable interest in real property located within the Township.

SECTION 4. DESIGNATED AREAS.

The improvements to be considered for this exemption by this Ordinance shall be limited to Economic Investment Property, as defined herein, and to the Economic Investment Area, as defined herein, in those areas of Hanover Township which have been fixed by the Hanover Township Supervisors to include all areas in the Industrial and Business District (I-B), Highway

Commercial District (C-1), Special Development District (S-D), plus any other business or industrial use approved by the Board of Supervisors in any other zoning district, in which improvements to deteriorated property are eligible for tax exemption.

SECTION 5. APPLICATION FOR EXEMPTION.

At the time an owner of property secures a building permit for construction of the improvements for which an exemption is requested, the owner shall make an application for exemption. Requests for exemption must be in writing on forms prescribed by the Township of Hanover setting forth the following information:

- a) The date the building permit was issued for said improvements;
- b) The type of improvements;
- c) The summary of the plan of the improvements;
- d) The cost of the improvements and such additional information as may be requested;
- e) An application fee as set forth by Resolution of the Board of Supervisors.

SECTION 6. EXEMPTIONS.

- A. There is hereby exempted from real estate taxation that portion of any assessment:
 - i. Attributable to and resulting from, improvements made to deteriorated properties;
and
 - ii. Attributable to and resulting from, new construction on deteriorated properties.
- B. Any such exemption shall be limited to that improvement and/or new construction for which the taxpayer has timely requested a tax exemption in the manner set forth herein, and for which a separate assessment has been made by the Assessment Agency.
- C. No tax exemption shall be granted if the taxpayer does not secure any and all necessary and proper permits for improving such deteriorated property, or engaging in new

construction thereon, prior to making such improvements thereto, or commencing such new construction.

- D. No tax exemption shall be granted, if the taxpayer does not, contemporaneous with the securing of any and all necessary and proper permits for improving the property, or engaging in new construction thereon, submit a written request for tax exemption with respect thereto, as set forth herein. In the event that no permits are required by law with respect to the improvements to the property and/or construction thereon, no tax exemption shall be granted unless the taxpayer has, on or before the date of commencement of the improvement and/or construction, notified the Township of Hanover in writing of the tax exemption request, as set forth herein.

SECTION 7. EXEMPTION SCHEDULE.

- A. The exemption from taxes permitted hereunder shall be limited to real estate taxes attributable to an increase in the assessed value of deteriorated property resulting from the actual cost of improvements thereto and/or the new construction thereon. Any such exemption shall continue for five (5) successive calendar years, commencing with the tax year next succeeding that in which the building permit is issued, or, if no building permit is required by law, commencing with the tax year succeeding that in which work on the improvements/new construction commences; provided, however, that the taxpayer has previously submitted a written request for tax exemption of such improvement and/or new construction, as set forth herein.
- B. In the event that, after the effective date of this Ordinance, deteriorated property is damaged, destroyed or demolished by any cause or for any reason, and the assessed value of the property affected is reduced as a result of such damage, destruction or demolition,

the exemption from real property taxation authorized by this Ordinance shall then be limited to that portion of the new assessed value attributable to improvements thereto, or new construction thereon, in excess of the original assessment that existed prior to the damage, destruction or demolition of the property.

- C. The schedule of real property taxes to be exempted shall be in accordance with the below portion of improvements to be exempted each year:

<u>Length</u>	<u>Portion</u>
First Year	100%
Second Year	100%
Third Year	100%
Fourth Year	100%
Fifth Year	100%

After the fifth year, the exemption shall terminate.

- D. The exemption from taxes granted under this Ordinance shall be upon the property exempted and shall not terminate upon the sale or exchange of the property.

SECTION 8. SALE OF PROPERTY.

The exemption from taxes authorized by this Ordinance shall be upon the property exempted and shall not terminate upon the sale, exchange or other conveyance of the property.

SECTION 9. DUTIES OF LANDOWNER OR TAXPAYER.

- A. Upon completion of any improvement to and/or new construction on deteriorated property, the taxpayer shall notify the Assessment Agency. The Assessment Agency shall then assess separately the improvement and/or the new construction, for the purpose of calculating the amount of the property's assessed value eligible for tax exemption and in accordance with the limits established by this Ordinance. The Assessment Agency

shall then notify the taxpayer and the Board of Supervisors of the assessment, and of the amount of the assessed value eligible for exemption.

- B. The taxpayer shall immediately notify the Assessment Agency and the Township of any significant changes in the improvements and/or new construction for which the tax exemption is sought. Failure to do so will result in loss of exemption for such changes.

SECTION 10. MISCELLANEOUS PROVISION.

- A. The amount of the assessed value of the improvements and/or new construction, to be exempted each year, the number of years during which such an exemption can be obtained, and the procedure applicable at the time a request is made, shall be applicable to that exemption request, and any subsequent amendments to this Ordinance shall not apply to the requests initiated prior to the adoption of such amendments.
- B. The exemption from real estate taxes shall take effect in the tax year immediately succeeding the tax year in which the building permit is issued for the improvements and/or new construction at issue, or, if no building permit is required by law, in the tax year immediately succeeding that in which work on the improvements/new construction commences.

SECTION 11. TERMINATION

- A. Unless sooner repealed by the Board of Supervisors of Hanover Township, Washington County, this Ordinance shall automatically expire and terminate four (4) years following the effective date hereof; provided, however, that any taxpayer who has received or applied for the exemption granted by this Ordinance prior to the expiration date herein provided, shall, if said exemption is granted, be entitled to the full exemption authorized herein.

B. Nothing contained herein shall act to prohibit the Board of Supervisors from enacting a similar ordinance after the expiration of this Ordinance.

SECTION 12. SEVERABILITY.

The provisions of this Ordinance are hereby declared severable, and if any of its provisions shall be held to be invalid or unconstitutional, or otherwise void for any reason, such decision shall not affect or impair any of the remaining provisions hereof; it is hereby declared to be the intent of the Township that this Ordinance would have been adopted if such invalid, unconstitutional, or otherwise void provision had not been included herein.

SECTION 13. REPEALER.

Any ordinances containing any provision inconsistent herewith to the extent that such provisions are inconsistent, those provisions are also hereby repealed.

SECTION 14. EFFECTIVE DATE.

The effective date of this Ordinance shall be on this 16th day of January, 2025.

ENACTED AND ORDAINED by the Board of Supervisors of the Hanover Township,

Washington County, Pennsylvania this 16th day of January, 2025.

ATTEST:

HANOVER TOWNSHIP

Chelsea Arthurs
Chelsea Arthurs, Secretary/Treasurer

By: [Signature]
Dale Handick, Chairman

By: [Signature]
Herbert Grubbs, Vice Chairman

By: [Signature]
William Michael, Supervisor



(SEAL)