

TOWNSHIP OF JACKSON
Cambria County, Pennsylvania

ORDINANCE NO. 189

AN ORDINANCE EXEMPTING REAL PROPERTY TAXES WITHIN A SPECIFIC GEOGRAPHIC AREA IN JACKSON TOWNSHIP, CAMBRIA COUNTY, DESIGNATED AS A PROPOSED KEYSTONE OPPORTUNITY EXPANSION ZONE (KOZ) IN ORDER TO FOSTER ECONOMIC OPPORTUNITIES AND STIMULATE JOB CREATION WITHIN JACKSON TOWNSHIP AND AUTHORIZING TOWNSHIP OFFICIALS TO COMPLETE AND SUBMIT A KOZ APPLICATION FOR (TAX MAP NOS. 34-046.-205.000, 34-016.-200.001 and 34-019.-107.005.

WHEREAS, Jackson Township recognizes the need to encourage investment in areas within a defined geographic and political boundary of Jackson Township identified as 60 acres within the Jackson Township Business Park; and

WHEREAS, the Pennsylvania Keystone Economic Opportunity Zone Act 921998, as amended by Act 84 of 2016, hereinafter referred to as the "Act", authorizes political subdivisions to apply to the Department of Community and Economic Development ("DCED") for designation of an area within their respective political boundaries as a Keystone Opportunity Expansion Zone and, as a precondition of such application, to enact an ordinance or resolution which provides within the designated and approved Keystone Opportunity Expansion Zone exemptions, deductions, abatements or credits from all local taxes identified in the Act, which ordinance or resolution will be contingent only upon DCED's approval of the application; and

WHEREAS, enactment of such exemption will result in improving both the economic, physical, and social conditions within the Proposed Keystone Opportunity Expansion Zone by creating new employment, to include jobs during construction of improvements and long-term jobs in a newly created business park, and creating new infrastructure and improvements to existing infrastructure to serve the proposed facility; and

WHEREAS, Jackson Township is making an application to the DCED seeking approval of the Proposed Keystone Opportunity Expansion Zone ("KOZ"); and

WHEREAS, the Board of Supervisors desire to authorize the Township Manager to prepare and submit the application to the Pennsylvania Department of Community and Economic Development for the requested Keystone Opportunity Expansion Zone designation; and

WHEREAS, Jackson Township has previously adopted Ordinance No. 185, approving application for KOZ status for the Jackson Township Industrial Park, located along SR 0022 (Tax Map Nos. 34-016.-200.001 and 34-019.-107.005) and following that action, has received a request to include in the KOZ application another commercial site identified as Cambria County Tax Map No. 34-046.-205.000, which is currently unused and in the opinion of the Township Supervisors is unlikely to have the investment made in it necessary for reuse, without some extraordinary treatment.

NOW THEREFORE BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Jackson, Cambria County, Pennsylvania, as follows:

Section 1. The proposed background provisions are incorporated into and made a substantive part of this Ordinance.

Section 2. Contingent only upon the DCED's approval of the application for the Proposed Keystone Opportunity Expansion Zone on or before December 31, 2021, real property tax in the Proposed Keystone Opportunity Expansion Zone is exempt in accordance with the provisions and limitations hereinafter set forth within the boundaries of the Proposed Keystone Opportunity Expansion Zone in accordance with the Act for a period of ten (10) years, commencing January 1, 2022.

Section 3. The exemption shall be 100% of the real property taxation on the assessed evaluation of property within the Proposed Keystone Opportunity Expansion Zone.

Section 4. The provisions of the Act not herein enumerated, shall be incorporated as part of this Ordinance by reference. If any provision of this Ordinance is determined to be contrary to the Act, such provision shall be deemed eliminated and the Act shall control.

Section 5. The tax abatements set forth herein and in the Act shall become effective immediately upon January 1, 2022, contingent and conditioned only upon the prior approval by DCED of the application with respect to the Proposed Keystone Opportunity Expansion Zone.

Section 6. The Board of Supervisors authorizes the Township Manager to serve as its designee to prepare and submit the application to the Pennsylvania Department of Community and Economic Development for the requested Keystone Opportunity Expansion Zone designation.

Section 7. The proper officers, including the Chairman or Vice Chairman of the Board of Supervisors, the Manager and the Secretary of this Township are authorized to execute all documents and take action necessary or appropriate to inform representatives of the DCED of the Township's enactment of this Ordinance and support of the proposal to include 60 acres within the Jackson Township Business Park within the Proposed Keystone Opportunity Expansion

Zone and to execute any agreements between the Township and the Commonwealth relating to the Proposed Keystone Opportunity Expansion Zone.

Section 8. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 9. Severability. It is the intention of the Jackson Township Supervisors that this Ordinance reflect the local governmental intention to obtain KOZ status for all three properties hereinbefore identified. If the other applicable governmental units, Central Cambria School District and Cambria County Commissioners, do not approve the third parcel incorporated in this Ordinance, (Cambria County Tax Map No. 34-046.-205.000), then it is intended that the prior authorization of Ordinance No. 185 shall continue in full force and effect.

Section 10. This Ordinance shall take effect and be in force as provided by law.

DULY ORDAINED AND ENACTED this 8TH day of APRIL 2021, by the Board of Supervisors of the Township of Jackson, Cambria County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF JACKSON

By: Bruce A. Baker
Bruce A. Baker, Chairman

By: John A. Wallet
John A. Wallet, Supervisor

ATTEST:

David M. Hirko
David M. Hirko, Secretary
(Seal)

By: Eric W. Dreikorn
Eric W. Dreikorn, Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Township of Jackson, Cambria County, Pennsylvania certify that: The foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which was duly enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of Jackson at a meeting duly held on the 8TH day of April, 2021; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of Jackson met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S.S701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of Jackson or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of Jackson, this 8TH day of April, 2021.



David M. Hirko, Secretary

(TOWNSHIP SEAL)

