



Legislation Details (With Text)

**File #:** 2015-1271    **Version:** 1  
**Type:** Ordinance    **Status:** Passed Finally  
**File created:** 1/30/2015    **In control:** Committee on Hearings  
**On agenda:** 2/3/2015    **Final action:** 2/24/2015  
**Enactment date:** 2/24/2015    **Enactment #:** 4  
**Effective date:** 2/26/2015

**Title:** Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Section 267, Exemptions for Industrial and Commercial Improvements by amending the schedule of exemptions in Section 267.03 as such schedule applies to properties located within the Lower Hill District (as hereafter defined).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/26/2015	1	Mayor	Signed by the Mayor	
2/24/2015	1	City Council	Passed Finally	Pass
2/18/2015	1	Standing Committees	AFFIRMATIVELY RECOMMENDED	Pass
2/11/2015	1	Standing Committees	Held for Cablecast Public Hearing	Pass
2/3/2015	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Section 267, Exemptions for Industrial and Commercial Improvements by amending the schedule of exemptions in Section 267.03 as such schedule applies to properties located within the Lower Hill District (as hereafter defined).

Whereas, the City of Pittsburgh has been working with the Urban Redevelopment Authority of Pittsburgh (“URA”), Allegheny County, the Pittsburgh Public Schools, members of the Hill District community, Pittsburgh Arena Real Estate Redevelopment, LP, the Sports and Exhibition Authority of Pittsburgh and Allegheny County and others to find ways to support the objectives of the Community Collaboration and Implementation Plan dated September 11, 2014 (the “CCIP”) for the proposed development of an area comprised of approximately 28 acres within the Lower Hill District and identified more specifically on Exhibit A attached hereto (the “Lower Hill Site”); and

Whereas, one of the principle goals of the CCIP is to insure that the tax and other benefits expected to be realized by development of the Lower Hill Site are shared by the greater Hill District community and deployed in the manner and for purposes identified in the CCIP; and

Whereas, in furtherance of this CCIP goal, the URA has recommended that the City, the County and the Pittsburgh School District (collectively, the “Taxing Bodies”) participate in a plan of finance (the “Funding Plan”) that will provide funding for development, projects and programs within the Lower Hill Site as well as the greater Hill District, through the creation of a district pursuant to the Pennsylvania Local Economic

Revitalization Tax Assistance Act, as amended (“LERTA”); and

Whereas, the Funding Plan contemplates that (i) each of the Taxing Bodies authorize exemptions from certain real estate taxes for properties within the Lower Hill Site pursuant to LERTA, (ii) the property owners who receive these exemptions make payments to accounts that will be established by URA (the “Reinvestment and Development Funds”) in amounts that are related to the exempted taxes, and (iii) the amounts deposited in the Reinvestment and Development Funds will be applied to pay for costs of development, projects and programs throughout the Hill District; and

Whereas, the Council of the City of Pittsburgh has determined to participate in the Funding Plan by amending certain provisions of the City’s LERTA legislation in the manner described herein.

**Now, therefore, be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1.** The Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 267, Exemptions for Industrial and Commercial Improvements is hereby amended as follows:

A. Section 267.01 - DEFINITIONS - is hereby amended by the addition of a new defined term, which shall be codified as new paragraph (v) to Section 267.01 and read as follows:

(v) LOWER HILL DISTRICT The area within the City that begins at Chatham Square and Centre Avenue and continues east on Centre Avenue until reaching Crawford Street where it then travels northward (on Crawford Street) until reaching Bedford Avenue. The boundary line then turns westward on Bedford Avenue, continuing west until the intersection of Bedford Avenue and Washington Place. The boundary line then continues westward on Bigelow Boulevard to Chatham Square. The boundary line turns southward on Chatham Square and runs down Chatham Square until reaching Centre Avenue.

B. Section 267.03 -EXEMPTION SCHEDULE - is hereby amended in order to establish the schedule of exemptions available with respect to properties within the Lower Hill District. Accordingly, the following new paragraph (f) is hereby added to the end of Section 267.03, as follows:

(f) With respect to improvements to deteriorated property or constructing or improving industrial, commercial or other business structures in the Lower Hill District:

- (1) The exemption is granted for a period of ten (10) years; and
- (2) One hundred percent (100%) of real estate taxes attributable to the cost of new construction or improvements shall be exempted, provided, however, that the amount exempted from real estate taxes per property shall not exceed two hundred fifty thousand dollars (\$250,000) in any single year.

C. Section 267.04 - EXEMPTION CONDITIONS - is hereby amended by the addition of the following new paragraphs (g) and (h) which shall be applicable to applications for exemption with respect to properties within the Lower Hill District:

(g) Property within the Lower Hill District that is the subject of an application for exemption pursuant to this legislation shall not be eligible for any other real estate tax exemption or abatement programs that may be available from the City during the ten year term of abatement.

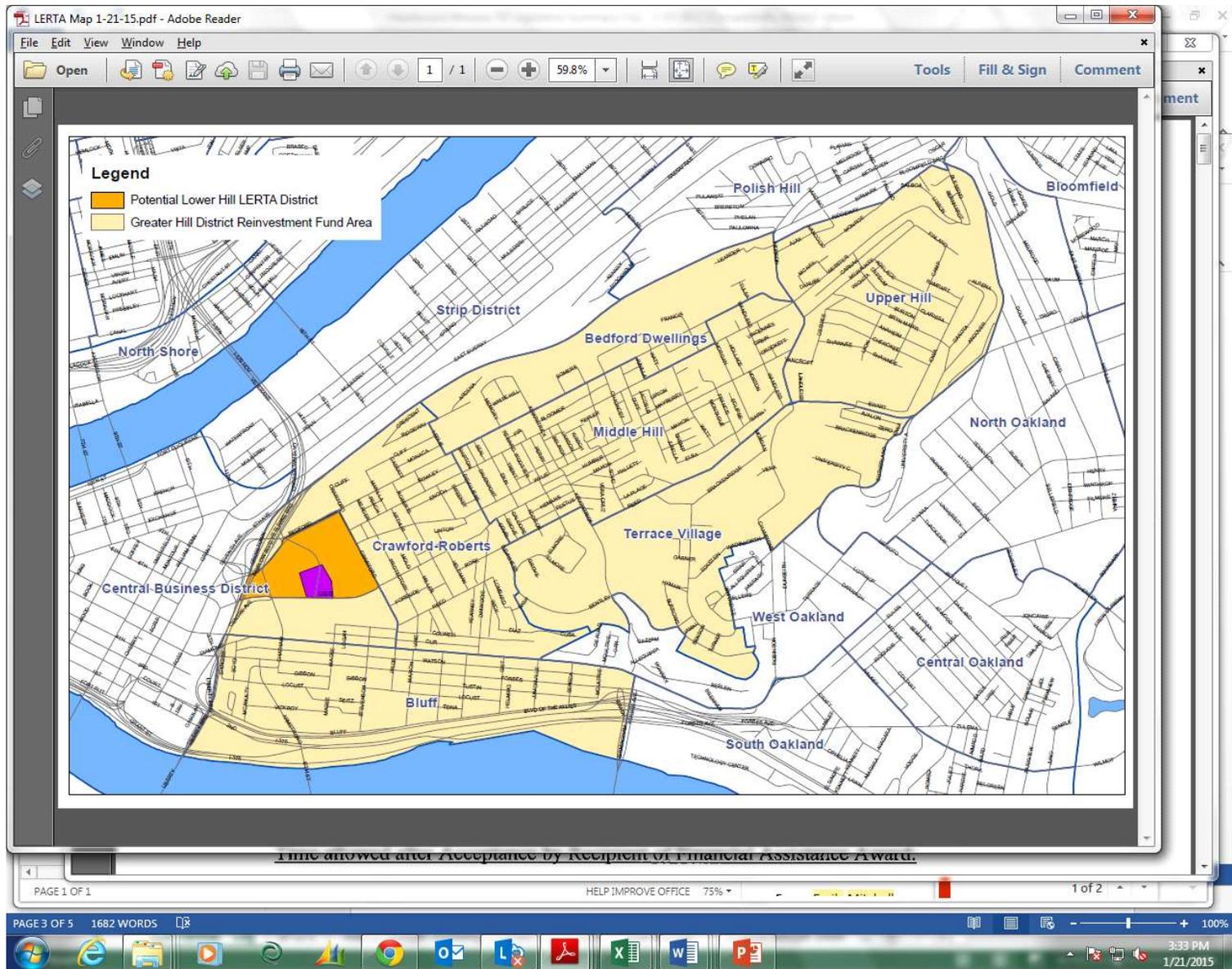
(h) No applicant for Exemption shall structure the purchase or sale of any property within the Lower Hill District in a manner which attempts to avoid paying realty transfer taxes to the City. Exceptions from this requirement will be granted in the case of (a) sheriff or tax claim sales; (b) corrective deeds, and (c) a transfer to the holder of a bona fide mortgage in default in lieu of foreclosure, or a transfer pursuant to a judicial sale in which the successful bidder is the bona fide holder of a mortgage.

D. Section 267.07 - EFFECTIVE DATE AND TERMINATION - is hereby amended to extend the time period during which applications for exemption with respect to properties within the Lower Hill District can be submitted. Accordingly, Section 267.07 is hereby amended by the addition of the language that is underscored and in bold print below:

The provisions of this Chapter, as amended, shall apply to all applications filed from and after the effective date hereof and through the tenth anniversary of such effective date, **other than applications for exemption of properties within the Lower Hill District pursuant to Section 267.03 (f), which may be filed at any time prior to April 1, 2040.** The cost of new construction or improvements to be exempted and the schedule of taxes exempted existing at the time of the initial request for tax exemption shall be applicable to that exemption request, and subsequent amendment to this Chapter, if any, shall not apply to requests initiated prior to its adoption.

Finally, that any Ordinance or Resolution or part thereof conflicting with the provisions of this Ordinance, is hereby repealed so far as the same affects this Ordinance.

### Exhibit A



Lower Hill LERTA District Parcels

Address	Lot & Block
EPIPHANY ST.	2-C-300
66 MARIO LEMIEUX PL	2-C-400
WASHINGTON PL	2-B-400
WEBSTER AVE.	2-B-257