



Legislation Details (With Text)

**File #:** 2018-0633      **Version:** 1

**Type:** Ordinance      **Status:** Passed Finally

**File created:** 6/22/2018      **In control:** Committee on Finance and Law

**On agenda:** 6/26/2018      **Final action:** 7/2/2018

**Enactment date:** 7/2/2018      **Enactment #:** 22

**Effective date:** 7/12/2018

**Title:** Ordinance amending and supplementing the Pittsburgh City Code at Title Two: Fiscal, Article IX: Property Taxes, Chapter 267: Exemptions for Industrial and Commercial Improvements, Section 267.03: Exemption Schedule, and Section 267.09: Participation by Allegheny County and Pittsburgh Board of Education, to extend the application periods for the exemptions set forth in Section 267.03: Exemption Schedule, Subsection (b) and Subsection (c), which were enacted pursuant to Ordinance 10 of 2007, to include applications field on or after April 1, 2018, through August 31, 2018, or until legislation establishing a new program has been adopted.

**Sponsors:** Corey O'Connor

**Indexes:** PGH. CODE ORDINANCES TITLE 02 - FISCAL

**Code sections:**

**Attachments:** 1. 2018-0633 Summary Chapter 267 LERTA Extension, 2. 2018-0633 Attachment Status of Abatement Programs - Copy

Date	Ver.	Action By	Action	Result
7/12/2018	1	Mayor	Signed by the Mayor	
7/2/2018	1	City Council	Passed Finally	Pass
6/27/2018	1	Standing Committee	Affirmatively Recommended	Pass
6/26/2018	1	City Council	Waived under Rule 8	Pass
6/26/2018	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh City Code at Title Two: Fiscal, Article IX: Property Taxes, Chapter 267: Exemptions for Industrial and Commercial Improvements, Section 267.03: Exemption Schedule, and Section 267.09: Participation by Allegheny County and Pittsburgh Board of Education, to extend the application periods for the exemptions set forth in Section 267.03: Exemption Schedule, Subsection (b) and Subsection (c), which were enacted pursuant to Ordinance 10 of 2007, to include applications field on or after April 1, 2018, through August 31, 2018, or until legislation establishing a new program has been adopted.

**WHEREAS**, Bill 2018-0360 amended and supplemented the Pittsburgh City Code at Title Two: Fiscal, Article IX: Property Taxes, Chapter 267: Exemptions for Industrial and Commercial Improvements, Section 267.03: Exemption Schedule, to extend the application periods for the exemptions set forth in Section 267.03: Exemption Schedule, Subsection (b) and Subsection (c), which were enacted pursuant to Ordinance 10 of 2007, to include applications field on or after April 1, 2018, through May 31, 2018; and

**WHEREAS**, Bill 2018-0360 also amended and supplemented the Pittsburgh City Code at Title Two: Fiscal, Article IX: Property Taxes, Chapter 267: Exemptions for Industrial and Commercial Improvements, Section

267.09: Participation by Allegheny County and Pittsburgh Board of Education, to extend the application periods for the exemptions set forth in Section 267.03: Exemption Schedule, Subsection (b) and Subsection (c), which were enacted pursuant to Ordinance 10 of 2007, to include applications filed on or after April 1, 2018, through May 31, 2018, and;

**WHEREAS**, a further extension will permit qualifying property owners of applicable property to participate in the Residential, Residential Enhanced, and Local Economic Stimulus LERTA programs, which, respectively: abate select taxes resulting from an increased property assessment due to an improvement to a residential property for a 10-year period, abate select taxes resulting from an increase in property assessment due to an improvement to a commercial or industrial property for a 10-year period, and abate select taxes resulting from an increased property assessment due to an improvement to industrial or commercial property being transformed into a residential property for a 10-year period.

**The Council of the City of Pittsburgh hereby enacts as follows:**

**Section 1.** The Pittsburgh City Code is hereby amended and supplemented at Title Two: Fiscal, Article IX: Property Taxes, Chapter 267: Exemptions for Industrial and Commercial Improvements, Section 267.03: Exemption Schedule, as follows:

**§267.03 EXEMPTION SCHEDULE.**

Any person making improvements to deteriorated property or constructing or improving industrial, commercial or other business structures in deteriorated areas and/or in deteriorated underutilized transition areas may apply for and receive a tax exemption upon the improvements or construction as provided in the following schedule:

(a) With respect to improvements to deteriorated property or construction or improvements of industrial, commercial or other business structures in deteriorated areas, other than improvements constituting a qualified conversion to commercial residential use or a qualified conversion to residential use that are located in deteriorated underutilized transition areas:

- (1) The exemption is granted to eligible properties located anywhere in deteriorated areas;
- (2) The exemption granted is limited to a period of five (5) years, and the exemption from City real property tax shall not exceed fifty thousand dollars (\$50,000.00) in any single year;
- (3) The exemption granted shall be one hundred (100) percent of the real property tax upon the assessed valuation attributable to the construction or improvement.

(b) With respect to improvements constituting a qualified conversion to commercial residential use that are located in deteriorated underutilized transition areas:

(1) The exemption is granted to eligible properties located anywhere in deteriorated underutilized transition areas;

(2) The exemption granted is applicable to the real property tax upon the assessed valuation attributable to improvements to the converted residential portion or the residential portion of the new construction for commercial residential use (including related parking) and is limited to ten (10) years. For applications filed prior to July 1, 2007 or on or after ~~May 31, 2018~~ **August 31, 2018, or until legislation establishing a new program has been adopted**, the exemption is one hundred (100) percent for the first two years and declines ten (10) percent for each two-year period thereafter with the exemption being sixty (60) percent in the ninth and tenth years. For applications filed on or after July 1, 2007 through ~~May 31, 2018~~ **August 31, 2018, or until legislation establishing a new program has been adopted**, the exemption is one hundred (100) percent for a period of ten (10) years. No exemption applies in the eleventh year or thereafter. The exemption from City real property tax shall not exceed one hundred fifty thousand dollars (\$150,000.00) in any single year.

(c) With respect to improvements constituting a qualified conversion to residential use that are located in deteriorated underutilized transition areas:

(1) The exemption is granted to eligible properties located anywhere in deteriorated underutilized transition areas for applications filed on or after July 1, 2007 through ~~May 31, 2018~~ **August 31, 2018, or until legislation establishing a new program has been adopted**.

(2) The exemption granted is applicable to the real property tax upon the assessed valuation attributable to improvements to the converted residential portion (including related parking) and is limited to ten (10) years. The exemption is one hundred (100) percent for a period of ten (10) years. No exemption applies in the eleventh year or thereafter. The exemption from City real property tax shall not exceed two thousand seven hundred dollars (\$2,700.00) in any single year.

(d) Improvements to deteriorated property that have the effect of converting all or a portion of the property to a commercial residential use but do not satisfy the requirements of a "qualified conversion to commercial residential use" and construction of property containing space for commercial residential use but which does not satisfy the requirement "new construction for commercial residential use" may be eligible for the exemption described in subsection (a) above. In a building located in a deteriorated underutilized transition area for which there is a qualified conversion to commercial residential use or new construction for commercial residential use, subsection

(b) above is applicable to the converted residential portion or the residential portion of the new construction for commercial residential use (including related parking) and subsection (a) above may be applicable to the remainder of the property.

(e) Local Economic Stimulus

Notwithstanding any other provision of this section to the contrary, with respect to all applications for exemption filed pursuant to any of the preceding subsections (a) through (d) for projects with a building permit that is issued during the period of January 1, 2012 through June 30, 2012, as to which a building permit has been issued reflecting a cost in excess of one million dollars (\$1,000,000.00) for the improvements or construction, exemption is granted in accordance with the following schedule, which schedule shall apply in lieu of any other schedule set forth in the preceding subsections:

- (1) The exemption from City real property tax shall be applicable only to that portion of the assessed valuation attributable to the construction or improvements that exceeds 100% of the assessed valuation prior to the issuance of the building permit and is limited to ten (10) years.
- (2) The exemption from City real property tax shall not exceed two hundred fifty thousand dollars (\$250,000.00) in any single year.
- (3) The exemption is one hundred (100) percent for the first two years and declines ten (10) percent for each two-year period thereafter with the exemption being sixty (60) percent in the ninth and tenth years. No exemption applies in the eleventh year or thereafter.

A project may choose to file for an abatement under any of the preceding subsections (a) through (d) if applicable.

**Section 2.** The Pittsburgh City Code is hereby amended and supplemented at Title Two: Fiscal, Article IX: Property Taxes, Chapter 267: Exemptions for Industrial and Commercial Improvements, Section 267.09: Participation by Allegheny County and Pittsburgh Board of Education, as follows:

**§ 267.09 PARTICIPATION BY ALLEGHENY COUNTY AND PITTSBURGH BOARD OF EDUCATION.**

Prior to implementation of this Chapter, the City shall enter into the appropriate cooperation agreements with the County of Allegheny and the Pittsburgh Board of Education so as to require these taxing bodies to participate with the City of Pittsburgh in the LERTA PROGRAM

as enumerated in this Chapter. Except as otherwise expressly stated, the City of Pittsburgh cannot unilaterally implement the amendments to this Chapter without the full participation by the County of Allegheny and the Pittsburgh Board of Education. This requirement shall not apply to any applications for exemption filed on or after July 1, 2007 through ~~May 31, 2018~~ **August 31, 2018, or until legislation establishing a new program has been adopted** pursuant to any amendments to this Chapter which have been adopted and are applicable solely to applications filed during said ten-year period.