

Council of the City of York, PA
Session 2013
Bill No.
Ordinance No.

[Articles of Incorporation](#)

INTRODUCED BY: **Carol Hill-Evans**

DATE: **November 6, 2013**

AN ORDINANCE

Creating the City Revitalization and Improvement Zone Authority.

BE IT ORDAINED, by the Council of the City of York, Pennsylvania, that the City Revitalization and Improvement Zone Authority (CRIZ) is hereby established as follows:

ARTICLE 187

City Revitalization and Improvement Zone Authority

Provisions

- I. Short Title
- II. Purpose
- III. City of York Qualification for CRIZ Program
- IV. Requirements for Appointments of Member to the Board of the York City CRIZ Authority
- V. Powers of the CRIZ Authority
- VI. Duties of the CRIZ Authority

Cross References

Pennsylvania Act 52 of 2013
Municipality Authorities Act 53 Pa.C.S.A. 5601 et seq.
York City Ordinance 181.01

Short Title

- I. This Ordinance may be cited as the “York City Revitalization and Improvement Zone (CRIZ) Authority” Ordinance.

Purpose

- II(a). The purpose of this ordinance is to create an Authority in accordance with the “City Revitalization and Improvement Zone (CRIZ) Program” that was created by Act 52 of 2013.
- (b). The purpose of the CRIZ program is to spur new growth in cities that have struggled to attract development, helping to revive downtowns and create jobs for the residents in the regions. Vacant, desolate, underutilized or abandoned space will be developed, thereby creating jobs, increasing personal incomes, growing state and local tax revenues, reviving local economies and improving lives of city residents and visitors.

City of York Qualifications for CRIZ Program

- III. The City of York is a third class city with a population of at least 30,000 based upon the most recent federal decennial census, and has not had a receiver appointed under Chapter 7 of the Act of July 10, 1987 (P.L. 246, No. 47).

Requirements for Appointments of Members to the Board of the York City CRIZ Authority

IV.(a) All members of the Board for the Authority shall be appointed in accordance with the Municipality Authorities Act (53 Pa.C.S.A. 5601, et seq), and York City Ordinance 181.01.

(b). The Board for the Authority will consist of seven members. Each member shall have residency, which is defined in the Municipality Authorities Act as someone who is a taxpayer in, maintains a business in or is a citizen in the City or in one of the municipalities to which one or more projects of the Authority extends or is to extend or which one or more of the projects has been or is to be leased (53 Pa.C.S.A. 5610(b)). The Mayor of the City of York shall nominate three (3) members; the State Representative from the 95th District shall nominate one (1) member; and the remaining members of the York County delegation to the Pennsylvania House of Representatives, specifically the Representatives from the 47th, 92nd, 93rd, 94th, 193rd, and 196th Districts shall collectively nominate three (3) members. All nominees must then be approved by York City Council.

(c). Members of the Board's terms of office shall commence on the effective date of their appointment. Two members shall serve for one year, two for two years, one for three years, one for four years and one for five years commencing with the first Monday in January next succeeding the date of incorporation or amendment. Their terms shall be staggered in a similar manner for terms of one to five years from the first Monday in January next succeeding. Thereafter, whenever a vacancy has occurred by reason of the expiration of the term of any member, the nominating body/office shall nominate a member of the board for a term of five years from the date of expiration of the prior term to succeed the member whose term has expired for approval by York City Council.

(d). **Successor.**--Members shall hold office until their successors have been appointed and may succeed themselves. A member may be removed for cause by the court of common pleas of the county in which the authority is located after having been provided with a copy of the charges against him for at least ten days and after having been provided a full hearing by the court. If a vacancy shall occur by reason of the death, disqualification, resignation or removal of a member, the Mayor shall nominate and City Council shall appoint a successor to fill his unexpired term.

(e). **Quorum.**--A majority of the members shall constitute a quorum of the board for the purpose of organizing and conducting the business of the authority and for all other purposes, and all action may be taken by vote of a majority of the members present. The board shall have full authority to manage the properties and business of the authority and to prescribe, amend and repeal bylaws, rules and regulations governing the manner in which the business of the authority may be conducted and the powers granted to it may be exercised and embodied. The board shall fix and determine the number of officers, agents and employees of the authority and their respective powers, duties and compensation and may appoint to such office or offices any member of the board with such powers, duties and compensation as the board may deem proper.

(f). **Removal.**--Unless excused by the board, a member of a board who fails to attend three consecutive meetings of the board may be removed by the appointing municipality up to 60 days after the date of the third meeting of the board which the member failed to attend.

Powers of the CRIZ Authority

V(a). Designating Zones: The authority may designate a zone where a structure or complex of structures to be used for commercial, sports, exhibition, hospitality, conference, retail, community, office, recreational or mixed-use purposes may be constructed, reconstructed or renovated. Construction includes infrastructure and site preparation.

V(b). Providing or borrowing money for the following purposes:
1. Development or improvement within a zone.

2. Construction, including related site preparation and infrastructure, reconstruction or renovation of a facility within a zone that will result in economic development according to the state-approved zone plan.

Duties of the CRIZ Authority

VI(a). Preparing a list of qualified businesses and construction contractors. The list must include:

1. The name of each entity.
2. The CRIZ address of each business.
3. The mailing address of each business.
4. State tax identification number of each business.
5. The parcel number of each business.
6. A map of the zone including parcel numbers.

(b) Filing the list of qualified business and construction contractors with the Pennsylvania Revenue Department by June 1 following the end of the baseline year and for every year thereafter. If the list is not timely provided to the Revenue Department, no state tax will be certified by the department to be transferred to the CRIZ for the prior calendar year.

(c) Hiring an independent auditing firm to perform an annual audit, to be maintained by the contracting authority for the duration of the CRIZ, verifying all of the following:

1. The correct amount of the eligible local tax was submitted to the local taxing authorities.
 2. The local taxing authority directly transferred to the Pennsylvania Treasurer the correct amount of eligible local tax for deposit in the CRIZ Fund.
 3. The state and local tax dollars transferred to the CRIZ Fund were properly expended by the contracting authority.
- 4.If restricted funds or excess funding was requested by the contracting authority and approved by the commonwealth, that such funding was requested appropriately under Section 1812-C of the Tax Reform Code.

PASSED FINALLY:

BY THE FOLLOWING VOTE:

YEAS: _____, _____, _____, _____, _____

NAYS: _____.

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this _____ day of _____.

Approved: _____
Mayor Date

Vetoed: _____
Mayor Date