

ARTICLE 345

Tax Incremental Financing Plan

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345.01 DEFINITIONS

As used in this Ordinance, the following words and phrases shall have the meanings set forth below:

- a. "Act" - Act 113 of 1990 enacted by the General Assembly of the Commonwealth of Pennsylvania
- b. "Authority" - Redevelopment Authority of the City of Bethlehem
- c. "City" - City of Bethlehem
- d. "'Bethlehem Works" Redevelopment Area" or "District" - The tax increment district created pursuant to this Resolution in accordance with the provisions of Act 113 of 1990.

- e. "County" - County of Northampton
- f. "Finance Officer" - The legally authorized agent (the Treasurer of the Taxing Districts and the Tax Collector for City of Bethlehem) responsible by law for receipt and disbursement of the revenues for taxing bodies.
- g. "Project Costs" - Such costs include any and all eligible Costs undertaken within or for the benefit of the Tax Increment District in accordance with the express language defining Project Costs as contained in the Act.
- h. "Plan" (or TIF Plan) - The "Bethlehem Works" Redevelopment Plan - Tax Incremental Financing Plan (TIF Plan) prepared by the Redevelopment Authority of the City of Bethlehem and any duly authorized amendments thereto.
- i. "School District" - The Bethlehem Area School District.
- j. "Taxing Districts" - The City, County and School District, collectively.
- k. "Tax Increment" or "Tax Increment Revenues" - Tax increment or Tax Increment Revenues shall be deemed to include all revenues applicable to the Tax Increment District as more fully defined in the definition of Tax Increment contained in the Act.
- l. "Tax Increment Fund" - The fund maintained by the Authority into which are paid all Tax Increments and into which are deposited all other revenues related to the Tax Increment District and the TIF Plan and from which money is disbursed to pay Project Costs related to the District.

345.02 BOUNDARIES OF THE DISTRICT

The "Bethlehem Works" Redevelopment Area shall contain those units of property assessed for real property tax purposes as described on Map 1 (attached) in Exhibit "A".

345.03 CREATION AND TERM OF DISTRICT

The "Bethlehem Works" Redevelopment Area - Tax Incremental District is hereby created as of the effective date of this Ordinance. The "Bethlehem Works" Tax Increment District shall continue in existence until such time as all Project Costs are fully paid or until June 30, 2020 whichever occurs first. The Authority currently estimates that the duration of the District will be twenty (20) years or less. The City hereby determines that the requisite time provided for under the Act subsequent to the public hearing has passed as of the date of adoption of this Ordinance.

345.04 NAME OF DISTRICT

The District shall be identified as "Bethlehem Works" Redevelopment Area for all TIF Plan and identification purposes.

345.05 LEGISLATIVE FINDINGS

The City hereby determines, in accordance with the powers conferred upon municipalities by the Urban Redevelopment Law and by the Act, based upon extensive studies and examination of the conditions currently existing within the Tax Increment District, that:

- a. The District is a contiguous geographic area within a designated redevelopment area.
- b. The improvements are likely to enhance significantly the value of real property in the District.
- c. The aggregate value of equalized taxable property of the District, plus all existing tax increment districts, does not exceed 10% of the total value of equalized taxable property within the City.
- d. The area comprising the District as a whole has not been subject to adequate growth and development through investment by private enterprise and would not reasonably be anticipated to be adequately developed without the adoption of the TIF Plan.
- e. The TIF Plan conforms to the City master plan.

- f. The TIF Plan will afford maximum opportunity, consistent with sound needs of the Taxing Districts as a whole, for the rehabilitation or redevelopment of the District by private enterprise.
- g. The District is a blighted area containing characteristics of blight as described in the Urban Redevelopment Law and the TIF Plan to be undertaken is necessary to eliminate such conditions of blight.

345.06 APPROVAL OF TIF PLAN AND PROJECT FINANCING

The City Council of the City of Bethlehem hereby approves the TIF Plan for the District prepared by the Authority and authorizes the Authority to undertake any and all methods of financing of Project Costs available pursuant to Section 9 of the Act, as modified by the Cooperation Agreement.

345.07 DESIGNATION OF AUTHORITY AS PROJECT AUTHORITY

The City Council of the City of Bethlehem hereby designates the Authority as the Authority as being charged with preparing, implementing, monitoring, and directing the TIF Plan and as the issuer for any bonds or notes which may be necessary to finance Project Costs for the District.

345.08 CREATION OF TAX INCREMENT FUND

The Authority will establish a Tax Increment Fund account which shall hold all Tax Increment Revenues for the Project. The City Council of the City of Bethlehem hereby requests that the Finance Officers of the Taxing Districts to deposit Tax Increment Revenues as specified in the TIF Plan received from the Taxing Districts, into a Tax Increment Fund to be created for such purposes by the Authority. The Treasurer of the City is also authorized to accept or deposit into the Tax Increment Fund any other gifts, appropriations, grants, loans, or other revenues to be applied to the District for the purposes of the Plan.

345.09 TAX INCREMENT REVENUES TO BE HELD IN TRUST FOR PROJECT

The required Tax Increments specified in the TIF Plan and Cooperation Agreement collected by the Finance Officers of the Taxing Districts, from and after the date of settlement

of such taxes, shall be paid to the Tax Increment Fund as stated in Section 8 of the Cooperation Agreement and shall be held in trust in favor of the District for purposes of the TIF Plan.

345.10 APPLICATION OF TAX INCREMENT REVENUE

The Authority is hereby authorized to apply Tax Incremental Revenues to Project Costs incurred in connection with the TIF Plan for the District in accordance with the Act. The Authority may undertake such expenditures, make such appropriations, reimburse parties for prior expenditures related to Project Costs, enter into such contracts and agreements with respect to the TIF Plan and the District which, in the sole judgment of the Authority, shall further the purposes of the TIF Plan consistent with the provisions of this Resolution. Any Tax Increment Revenues remaining in the Tax Increment Fund after payment of all Project Costs has been made or provided for shall be returned to the Taxing Districts on a pro rata basis in the proportions that the property tax millage of each taxing body bears to the entire millage levied by all Taxing Districts at the time that such funds remain.

345.11 PROCEDURES FOR COLLECTION OF TAX INCREMENT REVENUES

The Authority is hereby directed to establish such dates for receipt of Tax Increment Revenues, provide for any necessary reserve for tax revenues, and establish provisions for collection and enforcement of payment of Tax Increment Revenues to the extent permissible under the Act.

345.12 AGREEMENTS FOR FINANCIAL SECURITY FOR PROJECT COSTS

The City Council of the City of Bethlehem hereby agrees to enter into the Cooperation Agreement with the other Taxing Districts and to provide any form of assurances toward payment of Project Costs as such agreements may be deemed necessary by the Authority in consultation with the City.

345.13 AMENDMENTS TO TIF PROPOSAL AND DISTRICT

The Authority may propose and the City may adopt, by resolution or otherwise such amendments to the TIF Plan as are deemed necessary and which are authorized by the Act.

(Ord. 4010 - Passed 6/6/00.)