

BOROUGH OF DERRY

ORDINANCE NO. 806

AN ORDINANCE OF THE BOROUGH OF DERRY, COUNTY OF WESTMORELAND,
COMMONWEALTH OF PENNSYLVANIA PROVIDING FOR REAL ESTATE TAX EXEMPTION
FOR THE CONSTRUCTION OF NEW DWELLING UNITS

WHEREAS, the Improvement of Deteriorating Real Property or Areas Tax Exemption Act, Act No. 42 of 1977, hereinafter called the “act” as amended, authorized Derry Borough, among others, to provide exemptions from local real estate taxes for the construction of new dwelling units; and

WHEREAS, the Borough Council of the Borough of Derry recognizes the need to encourage the construction of new dwelling units; and

WHEREAS, the Borough Council of the Borough of Derry has determined that the entire Borough of Derry meets the criteria set forth in the Act and is a deteriorated area; and

WHEREAS, the Borough Council of the Borough of Derry has concluded that the enactment of an ordinance providing exemption from local real estate taxes for the construction of new dwelling units will improve the health, safety, and general welfare of the populace within the Borough of Derry.

BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Derry, County of Westmoreland and the Commonwealth of Pennsylvania, as follows:

SECTION 1: Dwelling unit shall have the same definition, for the purposes of this ordinance, as that set forth in Section 301 of the Act.

SECTION 2: Residential construction shall have the same definition, for the purposes of this ordinance, as that set forth in Section 301 of the Act.

SECTION 3: Improvement shall have the same definition, for the purposes of this ordinance, as that set forth in Section 301 of the Act.

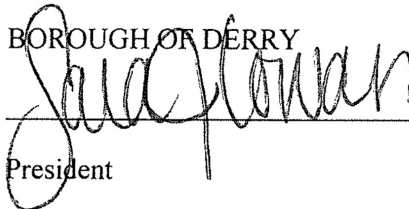
SECTION 4: There is hereby exempted from real estate taxation, for a period of 36 months, that portion, subject to the maximum hereinafter set forth, of any assessed valuation set by the Westmoreland County Board of Tax Assessment attributable to and resulting from, new residential construction. The exemption from real estate taxation is hereby limited to that portion of the assessed valuation attributable to the first \$200,000.00 in actual cost of construction, of a new dwelling unit; no exemption shall be applied to that portion of the assessed valuation attributable to actual cost of construction in excess of \$200,000.00.

SECTION 5: The 36 month period for tax exemption shall commence during the month when the Westmoreland County Board of Assessment Appeals places an improvement on the tax rolls.

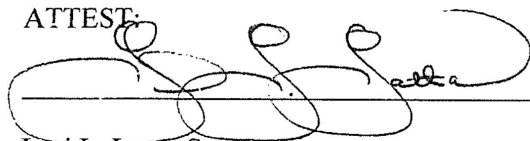
SECTION 6: No improvement shall be exempt from real estate taxation unless the owner of the subject real estate shall have first acquired a zoning and a building permit and submitted a completed application for exemption of a form available from the Borough Secretary of the Borough of Derry.

SECTION 7: This ordinance shall be effective for all applications for exemption properly completed and filed with the Borough Secretary of the Borough of Derry and the Tax Collector of the Borough of Derry, beginning January 1, 2023 through December 31, 2024, and any improvement completed pursuant to a timely filed application for exemption shall be exempt from real estate taxation for the full period of 36 months even though the improvements may not be completed prior to December 31, 2024 or the 36 month period may extend beyond December 31, 2024.

Ordained and enacted this 10th day of October 2023.

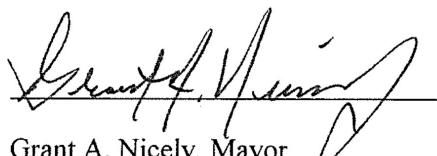
BOROUGH OF DERRY


President
Derry Borough Council

ATTEST


Lori L. Lafia, Secretary

Approved this 10th of October, 2023.



Grant A. Nicely, Mayor