

2024

AN ORDINANCE

AMENDING PROCEDURAL PROVISIONS OF CHAPTER 428 ("TAXATION") REGARDING THE TAX EXEMPTIONS FROM REAL PROPERTY TAX FOR IMPROVEMENTS TO CERTAIN RESIDENTIAL, COMMERCIAL, AND OTHER BUSINESS PROPERTY TO ADJUST APPLICATION AND EXEMPTION SCHEDULES.

WHEREAS, under City Code Chapter 428 ("Taxation"), Article VII ("Exemption for Certain Deteriorated Industrial, Commercial Property") and Article XIV ("Exemption for Deteriorated Residential Property"), the City maintains tax exemptions for improvements to certain real property;

WHEREAS, the City wishes to amend procedural provisions of these companion tax exemption programs, to make the administration of these exemptions fairer and more effective by aligning the application deadline and exemption period to the tax year in which the new tax rate would otherwise take effect, rather than to the beginning of the improvement;

WHEREAS, the City also wishes to delete an obsolete provision of City Code, Chapter 428 Article IX ("New Construction Tax Exemption"), which has not reflected current law since 2016.

NOW THEREFORE, BE IT ORDAINED that all resolutions and ordinances that have been codified in Chapter 428 Article VII of City Code—including but not limited to FOC 22 of 2016, FOC 50 of 2018, and FOC 57 of 2019, as may have been further amended—are hereby amended or repealed to the extent necessary to amend Subsections 428-55(A), 428-56(A), and 428-56(B) to instead read as follows:

428-55 Exemption schedule.


- A. The following real estate tax exemption schedule commences at the same time the new tax amount, based on the new assessment and reflecting the new improvements on the property, would otherwise take effect. For the ten (10) years for which the newly constructed improvement would otherwise be taxable, one hundred (100%) percent of the eligible assessment shall be exempted.


428-56 Procedure for obtaining exemption.

- A. Any person desiring a tax exemption pursuant to this Article shall notify the City of Scranton of its intention to request such tax exemption at the time the building permit is issued and shall file an application to the City of Scranton by October 31 of the year in which the Lackawanna County Assessment Office has established a new assessment reflecting the improvements on the property. Accordingly, any person for whom a new assessment is established between November 1 and December 31 shall file an application prior such new assessment being established. Notwithstanding, upon written determination by the Business Administrator that an extenuating

CERTIFIED COPY

 City Clerk

Introduced in Council on above date and referred to Committee on RULES July 16, 2024

City Clerk

Scranton, PA July 30, 2024
Committee on Rules reports favorably on the with ordinances

Chair

SIXTH ORDER:
JULY 23, 2024

circumstance exists, a person may be permitted to file an application between November 1 and December 31.

- B. There shall be placed on the form application for building permits, the following:

NOTICE TO TAXPAYERS

Under the provisions of Chapter 428 of City Code, you may be entitled to a property tax exemption on your contemplated new construction. You must notify the Department of Licensing Inspections and Permits at the time a building permit is secured and you must file an application, available from the Department, by October 31 of the year in which the Lackawanna County Assessment Office has established a new assessment reflecting the improvements on the property.

BE IT FURTHER ORDAINED that all resolutions and ordinances that have been codified in Chapter 428 Article XIV of City Code—including but not limited to FOC 21 of 2016 and FOC 49 of 2018, as may have been further amended—are hereby amended or repealed to the extent necessary to amend Subsections 428-55(A), 428-56(A), and 428-56(B) to instead read as follows:

428-116 Exemption schedule.

- A. The following real estate tax exemption schedule commences at the same time the new tax amount, based on the new assessment and reflecting the new improvements on the property, would otherwise take effect. For the ten (10) years for which the newly constructed improvement would otherwise be taxable, one hundred (100%) percent of the eligible assessment shall be exempted.

428-117 Procedure for obtaining exemption.

- A. Any person desiring a tax exemption pursuant to this Article shall notify the City of Scranton of its intention to request such tax exemption at the time the building permit is issued and shall file an application to the City of Scranton by October 31 of the year in which the Lackawanna County Assessment Office has established a new assessment reflecting the improvements on the property. Accordingly, any person for whom a new assessment is established between November 1 and December 31 shall file an application prior such new assessment being established. Notwithstanding, upon written determination by the Business Administrator that an extenuating circumstance exists, a person may be permitted to file an application between November 1 and December 31.
- B. There shall be placed on the form application for building permits, the following:

NOTICE TO TAXPAYERS

Under the provisions of Chapter 428 of City Code, you may be entitled to a property tax exemption on your contemplated new construction. You must notify the Department of Licensing Inspections and Permits at the time a building permit is secured and you must file an application, available

from the Department, by October 31 of the year in which the Lackawanna County Assessment Office has established a new assessment reflecting the improvements on the property.

BE IT FURTHER ORDAINED that all resolutions and ordinances that have been codified in Chapter 428 Article IX of City Code—including but not limited to FOC 57 of 1996, FOC 16 of 2002, FOC 6 of 2016, and FOC 35 of 2016, as may have been further amended—are hereby amended or repealed to the extent necessary to delete Article IX in its entirety.

SECTION 1: If any section, clause, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision, or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance of any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2: This Ordinance shall become effective immediately.

SECTION 3: This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1971, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State and Pennsylvania.

Passed by the Council

July 30, 2024

Receiving the Affirmative votes of Council Persons

KING, SCHUSTER, ROTHCHILD, MCANDREW, SMURL

Negative

NONE

President

APPROVED

7/31/2024

Paul G. Caruth Mayor

F. J. Kelly City Clerk

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