ORD 10-029

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE IN ORDER TO EXTEND THE CITY'S TAX ABATEMENT AND EXEMPTION PROGRAMS TO JUNE 30, 2014.

#3352

Sponsor:

Council Member Freel

WHEREAS, pursuant to amendments to Article VIII, Section 1 of the Delaware Constitution of 1897, the City of Wilmington has enacted various tax abatement and exemption programs that are set forth in Chapter 44 of the City Code; and

WHEREAS, the eligibility periods for some of those tax abatement and exemption programs are due to expire and the City administration and Council wish to extend the eligibility periods for such tax abatement and exemption programs to June 30, 2014.

THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Chapter 44 of the City Code is hereby amended by amending Sections 44-61, 44-70 and 44-71 by deleting the language within brackets and by adding the underlined language to read as follows:

Sec. 44-61. - Off-street parking facilities; exemption.

(a) There shall be a 20-year abatement of city real estate taxes, to the extent of 100 percent of the building assessment as established by the department of finance, for any aboveground or underground parking facility or structure, whether freestanding or incorporated into a larger structure, which may be used by the public for the parking of automobiles off the street and is constructed within the boundaries of the city between:

(1) December 20, 1985 and June 30, 1990; or

(2) July 1, 2002 and [~~June 30, 2010~~] June 30, 2014.

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Sec. 44-70. - Tax incentive program for city historic district and national register properties.

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(b) Eligibility and the abatement. Any property that is on the national register and any property that is located within any city historic district area, during the period from July 1, 2000 through [~~June 30, 2010~~] June 30, 2014, shall be eligible for abatement from real property taxation to the extent of the increase in assessed valuation of the building resulting from improvements to existing structures or from new construction. Such abatement shall apply from the effective date of the increase in assessed valuation for (1) a period of ten (10) years for renovations of existing structures and (2) a period of five (5) years for new construction of a structure; provided that the said increase in assessed valuation is attributable to improvements to existing structures or to new construction that is done in accordance with and pursuant to the requirements of the city historic district designation, as administered and enforced by the department of licenses and inspections, the zoning administrator, the planning department and the design review and preservation commission.

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Sec. 44-71. - Real estate tax exemption program.

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(d) *Time limit for eligibility.* The tax incentive program shall expire on [~~June 30, 2010~~] June 30, 2014.

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SECTION 2. Effective date. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval of the Mayor.

First Reading ..... April 1, 2010
Second Reading..... April 1, 2010
Third Reading ..... May 6, 2010

Passed by City Council, May 6, 2010

Norman D. Griffith
President of City Council 5/6/10

ATTEST: Traci Owens
Acting Deputy City Clerk

Approved as to form this
24 day of March, 2010

Senior Assistant City Solicitor

Approved this 14th day of May, 2010

Mayor

Synopsis: This Ordinance amends Chapter 44 of the City Code to extend the City's tax abatement programs for off-street parking facilities and historic district and national register properties until June 30, 2014. In addition, this ordinance extends the City's real estate tax exemption program until June 30, 2014.