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**RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF DAUPHIN, PENNSYLVANIA**

Resolution No. 14-2017

Date of Adoption: 6/28/17

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DAUPHIN, PENNSYLVANIA, PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT (ACT OF DECEMBER 1, 1977, P.L. 237, NO. 76), MAKING CERTAIN AMENDMENTS TO RESOLUTION NO. 22-2012, WHICH, *INTER ALIA*, DEFINED AND AUTHORIZED TAX EXEMPTIONS FROM REAL PROPERTY TAX FOR IMPROVEMENTS TO CERTAIN DETERIORATED INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY OR FOR THE NEW CONSTRUCTION OF PROPERTY.

**WHEREAS**, the Local Economic Revitalization Tax Assistance Act (Act of December 1, 1977, P.L. 237, No. 76), 72 P.S. §4722, *et seq.* (“Act”), authorizes local taxing authorities to exempt from real property taxation the assessed valuation of improvements to deteriorated properties and the assessed valuation of new construction within deteriorated areas, as designed by a municipal governing body in accordance with the Act; and

**WHEREAS**, the Borough of Hummelstown, Dauphin County, Pennsylvania (the “Borough”), a municipal governing body for purposes of Act, held a public hearing on March 15, 2012 (the “2012 Hearing”), in accordance with the Act, for the purpose of giving opportunity to public and private agencies and individuals, knowledgeable and interested in the improvement of deteriorated areas, to present recommendations concerning the locations of boundaries of deteriorated and deteriorating areas located with the Borough and the Lower Dauphin School District (the “School District”) and Dauphin County (the “County”); and

**WHEREAS**, the Borough Council of the Borough determined, following the 2012 Hearing, that certain areas within the Borough constituted deteriorating areas pursuant to the requirements of the Act; and

**WHEREAS**, the Borough in accordance with the Act enacted on March 15, 2012 Ordinance No. 2012-1 (the “2012 Borough Ordinance”), in which the Borough designated the boundaries of the deteriorating areas identified at the 2012 Hearing in order to exempt from real property taxation the assessed valuation of improvements to deteriorated properties and the assessed valuation of new construction within such areas, all in accordance with the Act; and

**WHEREAS**, the School District in accordance with the Act adopted on March 19, 2012 Resolution #2012-02 (the “2012 School District Resolution”), in which the School District

designated the same areas identified by the Borough in the 2012 Borough Ordinance as deteriorated or deteriorating areas in order to exempt from real property taxation the assessed valuation of improvements to deteriorated properties and the assessed valuation of new construction within such areas in accordance with the Act; and

**WHEREAS**, the County in accordance with the Act adopted on November 7, 2012 Resolution No. 22-2012 (the “2012 County Resolution”), in which the County designated the same areas identified by the Borough in the 2012 Borough Ordinance as deteriorated or deteriorating areas in order to exempt from real property taxation the assessed valuation of improvements to deteriorated properties and the assessed valuation of new construction within such areas in accordance with the Act; and

**WHEREAS**, the Borough has enacted Ordinance No. 2017-3 (the “2017 Borough Ordinance,” and together with the 2012 Borough Ordinance, the “Borough Ordinance”), approving certain amendments to the 2012 Borough Ordinance, and in connection therewith held a public hearing on June 15, 2017 for the purpose of giving opportunity to public and private agencies and individuals, knowledgeable and interested in the improvement of deteriorated areas, to present recommendations concerning whether the areas in the Borough previously determined to constitute deteriorating areas pursuant to the requirements of the Act remain eligible for such designation under the Act; and

**WHEREAS**, the School District has adopted Resolution #2017-08 (the “2017 School District Resolution,” and together with the 2012 School District Resolution, the “School District Resolution”), approving certain amendments to the 2012 School District Resolution consistent with the amendments to the 2012 Borough Ordinance made by the Borough in the 2017 Borough Ordinance; and

**WHEREAS**, copies of the Borough Ordinance and the School District Resolution are attached hereto and marked as Exhibit A and Exhibit B, respectively; and

**WHEREAS**, the Board of Commissioners of the County desires to adopt this Resolution and join with the Borough and the School District by making certain amendments to the 2012 County Resolution consistent with the amendments to the 2012 Borough Ordinance made by the Borough in the 2017 Borough Ordinance, and the amendments to the 2012 School District Resolution made by the School District in the 2017 Resolution; and

**WHEREAS**, the County, as a local taxing authority for purposes of the Act, recognizes that the designation of deteriorated or deteriorating areas, with the accompanying real estate tax exemption for new construction and improvements to deteriorated industrial, commercial and other business properties therein, will encourage new development in these areas; and

**WHEREAS**, the County further recognizes that the Act, and this Resolution, authorizes only the exemption of real estate taxation.

**THEREFORE**, the Board of Commissioners of the County of Dauphin, Pennsylvania, hereby RESOLVES as follows:

Section 1.     Definitions. Capitalized terms used but not defined in this Resolution shall have the meanings given such terms in the 2012 County Resolution.

Section 2.     Amendment to Section 7 of the 2012 County Resolution. Section 7 of the 2012 County Resolution, which currently provides that the 2012 County Resolution shall automatically terminate five (5) years following the effective date thereof (the “Expiration Date”), is hereby amended by extending such Expiration Date to the date which is seven (7) years following the effective date of the 2012 County Resolution.

Section 3.     Addition of New Section 11. The 2012 County Resolution is hereby amended by adding new Section 11, as follows:

*Section 11.     Memoranda of Understanding. Notwithstanding any other provision of this Resolution, the County, the taxpayer and the other local taxing authorities may enter into one or more memoranda of understanding to more fully set forth each party’s respective rights and responsibilities under the Act.*

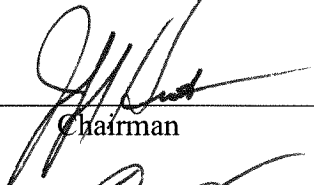
Section 4.     Continuing Effect. Except as may be amended by the provisions of this Resolution, the 2012 County Resolution remains in full force and effect.


Section 5.     Effective Date. This Resolution shall become effective on the earliest date permitted by law.

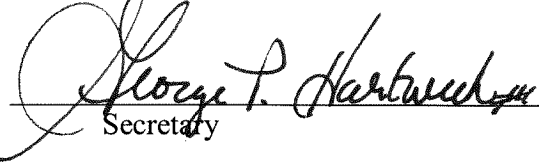
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**DULY ADOPTED** this 28th day of June, 2017 by the Board of Commissioners of the County of Dauphin, Pennsylvania.

BOARD OF COMMISSIONERS  
COUNTY OF DAUPHIN

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Vice-Chairman

  
\_\_\_\_\_  
Secretary

ATTEST:

  
\_\_\_\_\_  
Chief Clerk

**CERTIFICATE**

I, the undersigned, being the Chief Clerk of the Board of Commissioners of the County of Dauphin, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted at a regular and lawful meeting of the said Board held June 28, 2017, as the same appears in the Minutes of said Board in its Minute Book Volume.

**WITNESS** my hand this 28 day of June, 2017.

  
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Chief Clerk