

CITY OF JEANNETTE
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2024-5_____

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, UNDER THE IMPROVEMENT OF DETERIORATING REAL PROPERTY OR AREAS TAX EXEMPTION (IDRPATE) ACT, ESTABLISHING TAX EXEMPTIONS FROM PROPERTY TAX FOR CERTAIN DETERIORATED RESIDENTIAL PROPERTY; DEFINING ELIGIBLE DETERIORATING AREAS; SETTING A MAXIMUM EXEMPTION AMOUNT AND AN EXEMPTION **SCHEDULE**; PROVIDING NOTICE TO TAXPAYERS AND A PROCEDURE FOR OBTAINING AN EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the General Assembly of Pennsylvania passed Act No. 34 of 1971 (72 P.S. § 4711-101 et seq.) known as the Improvement of Deteriorating Real Property or Areas Tax Exemption (IDRPATE) Act which authorizes local taxing authorities to provide for tax exemption for certain deteriorated residential properties; and

WHEREAS, there are deteriorated residential properties and deteriorating areas within the geographical confines of the City of Jeannette; and

WHEREAS, the City Council of the City of Jeannette in accordance with said Act held a public hearing on [August 14th](#), 2024, to determine the boundaries of said deteriorating areas, deteriorated areas, and deteriorated neighborhoods and to establish the IDRPATE ordinance provisions, which hearing was duly advertised; and

WHEREAS, at said public hearing, agencies, and individuals had the opportunity to present to the City Council of the City of Jeannette their recommendations concerning the location of the boundaries of deteriorated areas, deteriorated areas, and deteriorated neighborhoods and the advocacy of implementation for the IDRPATE Program.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Jeannette that:

Section 1. Definitions. As used in this Ordinance, the following words and phrases shall have the meaning set forth below:

(a) “Deteriorated Property” means (i) any dwelling unit, consistent with the definitions provided in the City of Jeannette Zoning Ordinance, owned by an individual, association, or corporation, and located in a “Deteriorated Neighborhood” as defined in this Ordinance or as otherwise provided by Resolution of the Council of the City of Jeannette, or a dwelling unit which has been or upon request is certified by the City of Jeannette as being a deteriorated property or (ii) a health, housing, or building inspection agency as unfit for human habitation for rent withholding, or other health or welfare purposes, or has been the subject of an order by the City of

Jeannette or such an agency requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations.

(b) “Dwelling Unit” means a house, apartment, or group of rooms intended for occupancy as separate living quarters by faintly or other groups or a person living alone, containing a kitchen or cooking equipment for the exclusive use of the occupants.

(b) “Improvement” means repair, construction or reconstruction, including alterations or additions³having the effect of rehabilitating a Deteriorated Property so that it becomes habitable or attains higher standards of safety, health, economic use, or amenity, or is brought into compliance with laws, ordinances, or regulations governing such standards, for which a building or alteration permit is required. Ordinary upkeep and maintenance shall not be deemed an improvement.

(c) “Residential Construction” means the building or erection of one or more dwelling units, as defined above, upon vacant land or land specifically prepared to receive such structure(s), for which a building or alteration permit is required.

(d) “Local Taxing Authority” means the City of Jeannette, the Jeannette City School District, and the County of Westmoreland or any other governmental entity having the authority to levy real property taxes within the City of Jeannette.

(e) “Local Governing Body” means the City Council of the City of Jeannette.

(f) “Deteriorated Area,” “Deteriorating Area,” or “Deteriorated Neighborhood” means an area, the boundaries of which are determined by a Local Taxing Authority in which residential construction and improvements are eligible for tax exemption.

Section 2. Exemption Areas. The zoned areas in the City of Jeannette on the map attached hereto and incorporated herein as Exhibit A, “IDRPATE Zones Map,” are hereby specifically designated as being Deteriorated Areas: IDRPATE Districts Numbered One (1) through Eleven (11). All residential properties located in the above districts are eligible to participate in this tax exemption program, so long as they meet the prerequisites for the program as hereinafter described.

Section 3. Exemption Amount.

(a) The amount to be exempted shall be limited to that portion of the additional assessment valuation attributable to the actual costs of the residential construction or improvement.

(b) The exemption shall be limited to the residential construction or improvement for which the exemption has been requested in the manner set forth below and for which a separate tax assessment has been made by the Westmoreland County Tax Assessment Office. Tax exemption shall only be granted if the property, as completed, complies with the various codes of the City of Jeannette, including, without limitation, any approval as a land development by the City of Jeannette.

Section 4. Exemption Schedule.

(a) For the three (3) years immediately following the year upon which the improvement becomes assessable, the eligible assessment shall be exempted in accordance with the following schedule:

1 (First Year)	100%
2 (Second Year)	100%
3 (Third Year)	100%

(b) The exemption from the taxes granted under this Ordinance shall be upon the property and shall not terminate upon the sale or exchange of the property.

Section 5. Notice to Taxpayers.

(a) Pursuant to this Ordinance, taxpayers are hereby notified as follows:

Under the provisions of this Ordinance, you may be entitled to a property tax exemption on your contemplated alteration or new construction. An application for exemption may be secured from the City of Jeannette, 110 South Second Street, Jeannette, Pennsylvania and must be filed with the City of Jeannette at the time a building or alteration permit is secured, or, if no building or alteration permit is required, then at the time that construction commences.

The City may include the above notice in official documents of the City, including, without limitation, tax notices and building permit applications.

(b) At the time a building or alteration permit is secured for the construction of residential construction or an improvement for which an exemption is requested, or at the time construction commences if no permit is required, the taxpayer shall apply to the City of Jeannette for the exemption provided for in this Ordinance. Request for the exemption must be in writing certified in full setting forth the following information:

- (1) The date the building permit or alteration permit was issued for said residential construction or improvements.
- (2) The location of the property to be constructed upon or improved.
- (3) The nature of the property to be constructed upon or improved.
- (4) The type of residential construction or improvement.
- 5) The summary of the plan of the residential construction or improvement.
- (6) The cost of the residential construction or improvement.

(7) Any and all additional information the City may require.

Section 6. Minimum Mandate. There shall be no minimum mandate for eligibility for this program.

Section 7. Procedure for Obtaining Exemption. A copy of the application for exemption shall be forwarded to the Westmoreland County Tax Assessment Office by the City of Jeannette. Upon completion of the residential construction or improvement, the taxpayer shall notify the City and the Westmoreland County Tax Assessor, so that the Assessor can assess the residential construction or improvements separately for the purpose of calculating the amount of assessment eligible for tax exemption in accordance with the limits established in this Ordinance. The City will then obtain from the Assessor the amount of the assessment eligible for exemption and will notify the taxpayer. Appeals from the assessments and the amount eligible for the exemption may be taken by the taxpayer or the City as provided by law. However, after the initial assessment, the applicant waives the right to appeal the assessment for the term of the program or exemption.

Section 8. Termination. Unless otherwise repealed by City Council, this Ordinance shall terminate on August 31, 2027. Nothing contained herein shall prohibit City Council from enacting a similar ordinance or extending this Ordinance. Any property tax exemptions granted under the provisions of this Ordinance shall be permitted to continue according to the exemption schedule even if this Ordinance expires or is repealed.

Section 9. Rules and Regulations. The City Council of the City of Jeannette is hereby authorized and empowered to prepare, promulgate, and enforce rules and regulations made pursuant to the provision of this Ordinance. Such rules and regulations shall have the full force and effect of law unless modified, revoked, or repealed by City Council.

Section 10. Severability. The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses, or sentences. The provisions of this Ordinance are not intended to exceed the limits of any authority provided under the Improvement of Deteriorating Real Property or Areas Tax Exemption (IDRPATE) Act, 72 P.S. § 4711-101 et seq.

Section 11. Contingency Notwithstanding other provisions of this Ordinance, this Ordinance shall remain in full force and effect conditioned upon the Board of Directors of the Jeannette Area School District and the Commissioners of Westmoreland County enacting similar Resolutions or Ordinances with identical Deteriorated Areas as those designated by the City of Jeannette, no later than December 31, 2024.

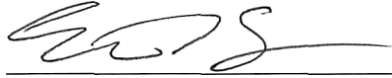
Section 12. Effective Date. This Ordinance shall become effective in ten (10) days.

This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the City Council of the City of Jeannette at a duly advertised public meeting held on the [12 day of September, 2024](#).

CITY OF JEANNETTE

By: 
Curtis J. Antoniak
Mayor and President of Council


ATTEST: (SEAL)



Ethan E. Keedy
City Manager/City Clerk

I, Ethan E. Keedy, duly qualified City Manager/City Clerk of the City of Jeannette, County of Westmoreland, and Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and correct copy of the Ordinance duly adopted by a majority vote of the City Council of the City of Jeannette at a regular meeting held September 12, 2024, and said Ordinance has been recorded in the minutes of the City of Jeannette and remains in effect as of this date.

Certified:



Ethan E. Keedy
City Manager/City Clerk

PUBLIC NOTICE

The City of Jeannette and the Jeannette City School District will hold a public hearing on August 14 , 2024 at 6 PM in Council Chambers, Jeannette City Hall, 110 S. 2^o St., Jeannette, PA, 15644 to discuss the determination Improvements of Deteriorating Real Property or Areas Tax Emptions (IDRPATE) districts, the IDRPATE exemption schedule, and adoption of an ordinance enacting a IDRAPATE program in the City.

Any person having an interest in the above matter should make plans to attend the meeting at the time, date and place referenced above. City Manager Ethan Keedy can answer questions related to the program at 724-527-4000 Ext. 17.

City Hall is accessible to the physically disabled. If special accommodations are needed, please contact the City Manager's office at 724-527-4000 Ext. 12.

Ethan Keedy,
City Manager
City of Jeannette