



ORDINANCE 19-04

An Ordinance Amending Chapter 157, Economic Development and Redevelopment, of the Code of the City of Harrington Related to Residential and Commercial Impact Fee Waivers and Reduced Fees for Job Creation for Harrington Residents

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HARRINGTON IN COUNCIL MET:

Section 1. That § 157-2 shall be amended by adding the following definition:

FULL-TIME DIRECT JOB

A full-time schedule job that is created by the incentive beneficiary that did not exist prior to the receipt of notice of eligibility for a specific economic development incentive program available under this chapter. To be considered a full-time direct job, there must be an increase in the total number of full-time schedule jobs employed by the incentive beneficiary.

Section 2. That § 157-13 shall be amended by deleting the existing section title and substituting in lieu thereof the following:

§ 157-13. Water and sewer impact fee waiver for single-family detached dwellings constructed in fiscal years 2017, 2018, 2019, and 2020.

Section 3. That § 157-13 B shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

B. Limit on number of impact fee waivers. The number of water and sewer impact fee waivers permitted under this section is limited to one per incentive beneficiary per fiscal year.

Section 4. That § 157-13 C shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

C. The water and sewer impact fee waiver is valid for fiscal year 2017, 2018, 2019, and 2020 only. The following limitations on time apply:

(1) This section applies only to building permits applied for between July 1, 2016 and June 30, 2020.

- (2) The certificate of occupancy must be received within nine months of applying for the building permit. If the certificate of occupancy is not issued within nine months of the application for the building permit, the full amount of the waived impact fees shall be due prior to the issuance of the certificate of occupancy.

Section 5. That § 157-22 shall be amended by deleting the existing section title and substituting in lieu thereof the following:

§ 157-22. Impact fee waiver based on full-time direct job creation.

Section 6. That § 157-22 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- A. The Incentive Beneficiary may qualify for a waiver of 0.2 of the City assessed water impact fees and sewer impact fees for the creation of each new Full-Time Direct Job. The total impact fee waiver shall not exceed five water impact fees and sewer impact fees. Projects that have received at least preliminary plan approval as of August 5, 2019 may apply for a waiver of City assessed water impact fees and sewer impact fees based on Direct Job creation under the previously adopted tiered chart.

Section 7. That § 157-23 shall be amended by deleting the existing section title and substituting in lieu thereof the following:

§ 157-23. Base building permit fee reduced based on direct job creation for Harrington residents.

Section 8. That § 157-23 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- A. If ten percent (10%) of the employees of a business in the City of Harrington reside in the corporate limits of the City of Harrington, the incentive beneficiary may qualify for a one-time reimbursement of five percent (5%) of the base building permit fee.

Section 9. That § 157-23 B shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- B. The incentive beneficiary must apply for the permit and other fees reimbursement within three months of receiving the certificate of occupancy.

Section 10. That Article IV, Incentives for Downtown Development District, of Chapter 157, Economic Development and Redevelopment shall be amended by adding the following sections:

§ 157-37. Impact fee waiver based on direct job creation.

- A. The incentive beneficiary may qualify for a waiver from any City-assessed water and sewer impact fees if direct jobs are created based on the chart below:

Tier	Full-Time Equivalent Jobs Created	Impact Fee Waivers*
1	5 to 9	1
2	10 to 14	2
3	15 to 19	3
4	20 to 24	4
5	25 to 29	5
6	30 or more	All

NOTE:

- * Number of impact fees waived is for both water and sewer (1 = 1 water impact fee and 1 sewer impact fee)

- B. Fees that cannot be waived or reduced. Any fees or taxes assessed by the state, county, or school district or special fees payable for fire or public safety protection cannot be waived or reduced and must be paid by the incentive beneficiary to maintain eligibility under this chapter. These fees include, but are not limited to, community impact fees and Kent County sewer impact fees collected by the City.
- C. The City will audit the incentive beneficiary three years after the issuance of the first certificate of occupancy to verify the job creation levels are achieved. If the required full-time equivalent job levels are not met or maintained, the incentive beneficiary is responsible for payment of all fees and costs not otherwise waived or reduced under this program.

§ 157-38. Permits and other fees reduced based on direct job creation for Harrington residents.

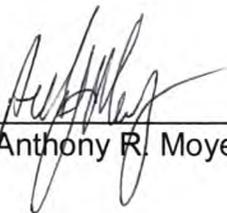
- A. If 10% of the employees of a business in the City of Harrington reside in the corporate limits of the City of Harrington, the incentive beneficiary may qualify for a one-time reimbursement of 5% of the following permits and fees:
- (1) Building permit fee.
 - (2) Water service connection/inspection fee.
 - (3) Sewer service connection/inspection fee.
 - (4) Other fees associated with professional services provided by the City as it pertains to planning, engineering, and legal review.
- B. The incentive beneficiary must apply for the permit and other fees reimbursement within 18 months of receiving the certificate of occupancy.

- C. Fees that cannot be waived or reduced. Any fees or taxes assessed by the state, county, or school district or special fees payable for fire or public safety protection cannot be waived or reduced and must be paid by the incentive beneficiary to maintain eligibility under this chapter. These fees include, but are not limited to, community impact fees and Kent County sewer impact fees collected by the City.
- D. The incentive beneficiary shall be responsible for obtaining all required local, state, county, and federal permits and approvals as may be required to complete the project.

Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.



 Anthony R. Moyer, Mayor

Attest: 

 Kelly Blanchies, Clerk of Council

Date of Adoption: August 5, 2019

SYNOPSIS

This Ordinance amends Chapter 157, Economic Development and Redevelopment, to reduce the number of impact fee waivers for new single-family homes from 3 to 1, to change how commercial impact fee waivers are calculated, to limit the reduced fees for job creation for Harrington residents to the base building permit fee, which now must be applied for within 3 months (previously 18 months), and to add commercial impact fee waivers and reduced fees to the incentives for the Downtown Development District in order to maintain the same level of benefits in the district.

First Reading: July 15, 2019
 Public Hearing: August 5, 2019
 Second Reading: August 5, 2019