

**CITY OF HYATTSVILLE  
EMERGENCY ORDINANCE 2013-03**

**An Ordinance whereby the City Council amends Chapter 108-Taxation to add Section 108-4 Revitalization Tax Credit, granting the City Council the authority to establish Revitalization Tax Credit Districts, declaring such districts in the City's Commercial Corridors for commercial, industrial, residential and retail property and setting conditions to apply the tax credit to any particular property.**

**WHEREAS**, the State of Maryland, pursuant to 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, has authorized the establishment of revitalization districts by resolution for the purpose of encouraging redevelopment; and

**WHEREAS**, Section 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, also authorizes the City to grant a property tax credit against the City's real property tax for a property located within the revitalization district that is constructed or substantially redeveloped in conformance with adopted eligibility criteria and reassessed as a result of the construction or redevelopment at a higher value than that assessed prior to the construction or redevelopment; and

**WHEREAS**, the City Council have determined that it is in the public interest to provide for the establishment of revitalization districts and to set the criteria for designation of such districts; and

**WHEREAS**, the City Council have determined that it is in the public interest to authorize the granting of a property tax credit against the City's real property tax for properties within a revitalization district and to adopt eligibility criteria for granting the credit.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Hyattsville that Section 108-4 "Revitalization Tax Credit" be and it is hereby enacted as follows:

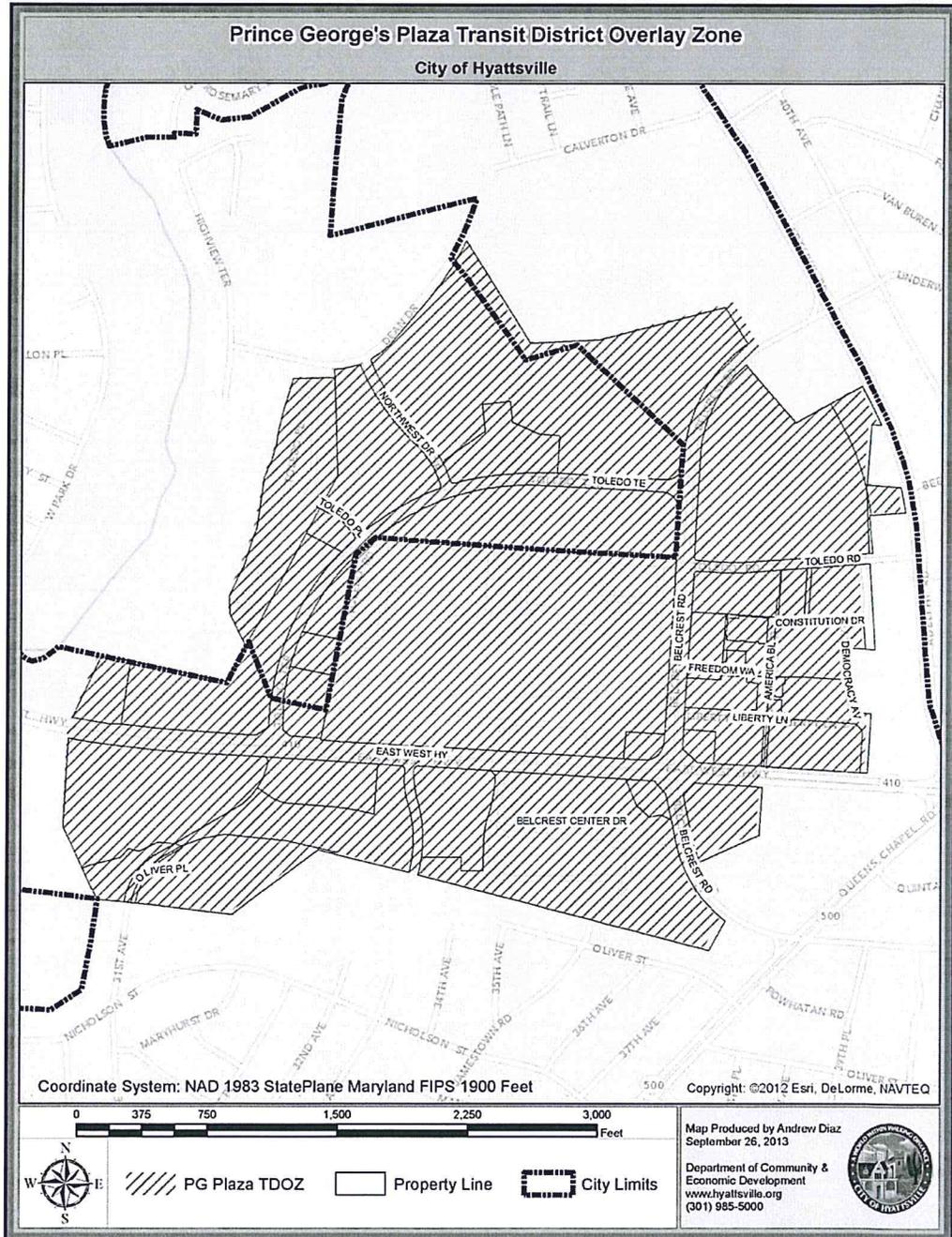
(All new)

**§108-4 REVITALIZATION TAX CREDIT**

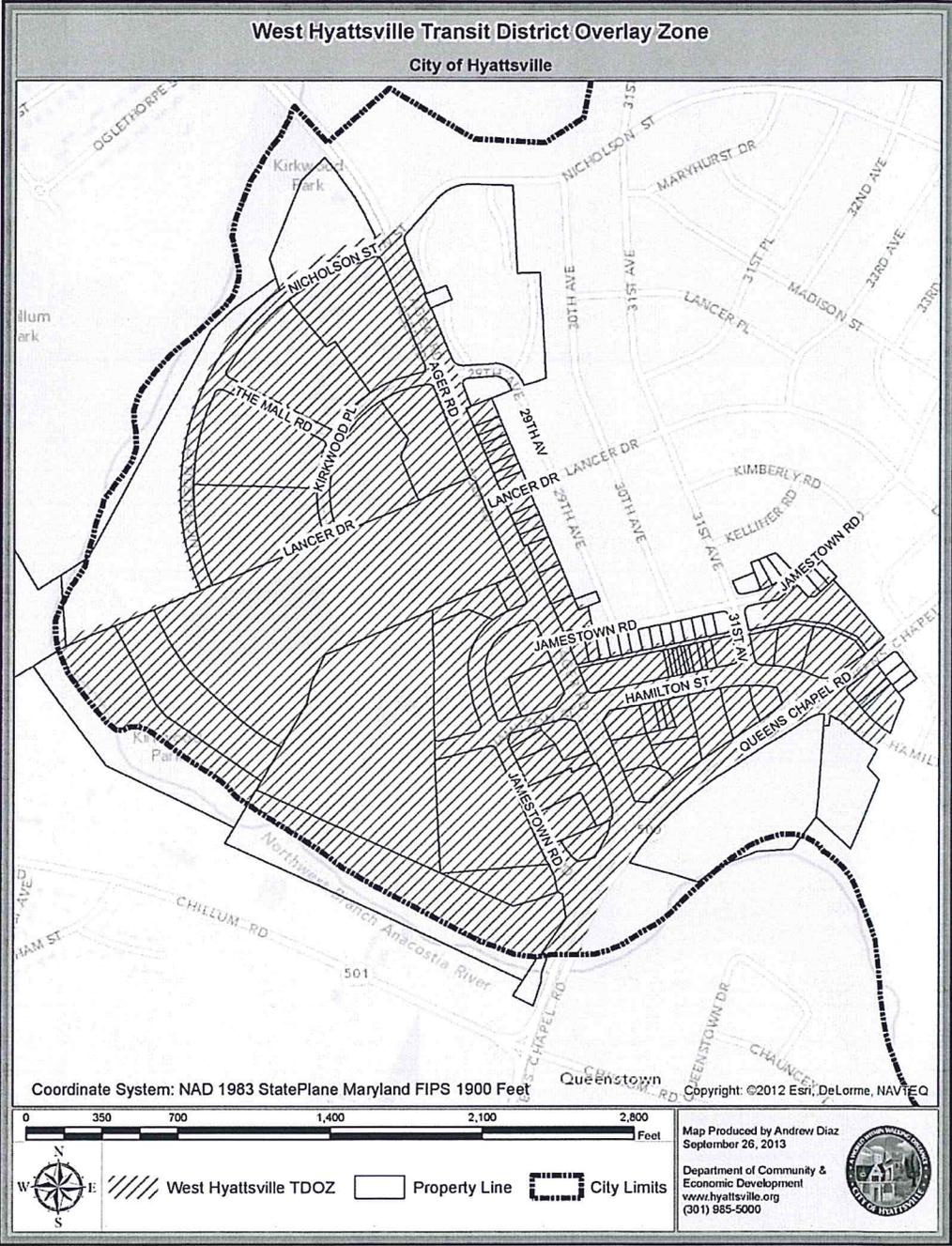
- A. **PURPOSE.** The purpose of the City's Revitalization Tax Credit Program is to provide financial incentives to encourage economic development and redevelopment in the City by creating revitalization districts.
- B. **AUTHORITY TO ESTABLISH REVITALIZATION TAX CREDIT DISTRICTS.** The City Council may establish one (1) or more Revitalization Tax Credit districts. A Revitalization Tax Credit district may be established within an existing development district overlay zone, transit district overlay zone or State of Maryland designated Arts and Entertainment districts.

C. REVITALIZATION TAX DISTRICTS ESTABLISHED. The following districts are established:

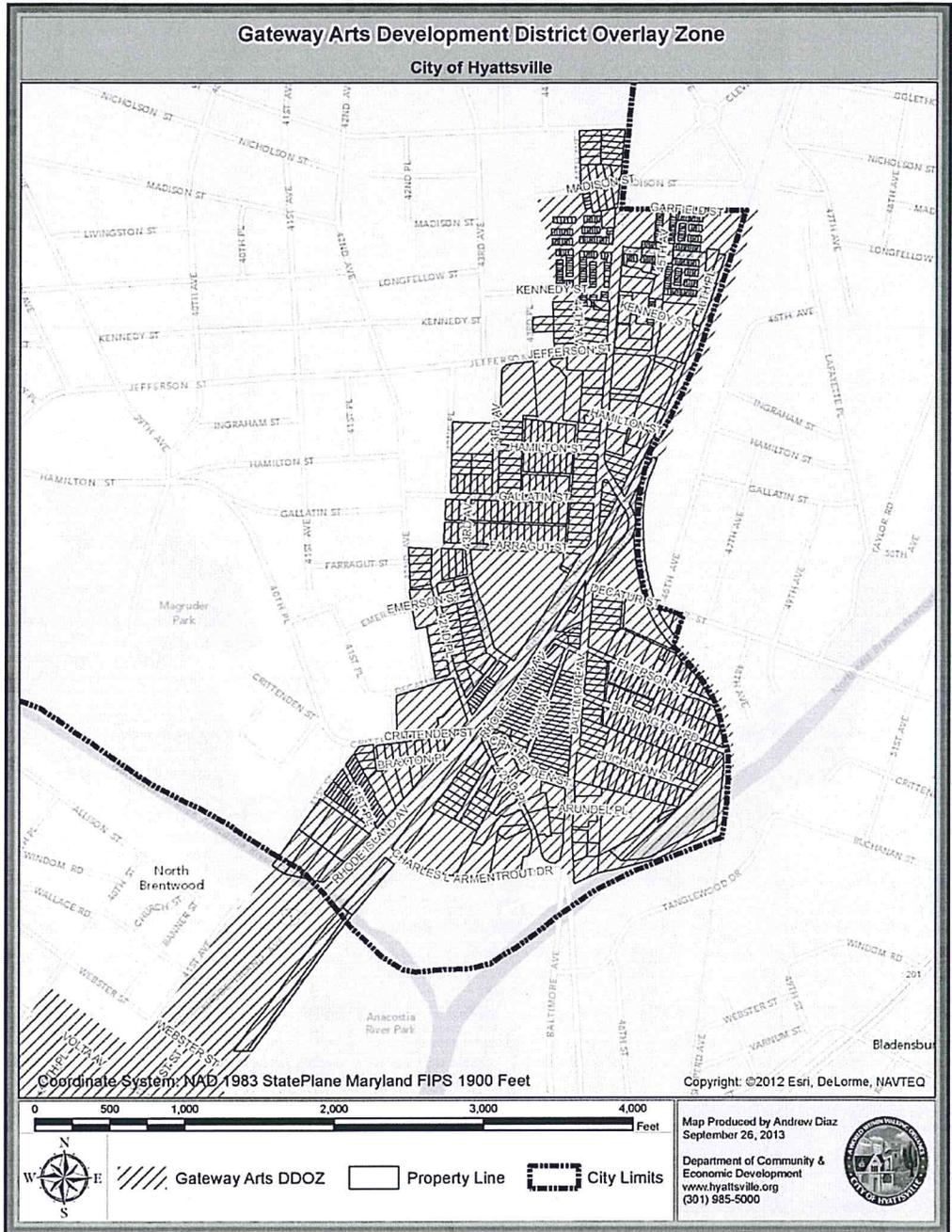
- a. Prince George's Plaza Transit District Overlay Zone: Real property located within the municipal limits of the City of Hyattsville and within the Prince George's Plaza Transit District Development Plan as illustrated immediately below:



- b. West Hyattsville Transit District Overlay Zone: Real property located within the municipal limits of the City of Hyattsville that and within the West Hyattsville Transit District Development Plan as illustrated immediately below:



- c. Gateway Arts District Arts & Entertainment District: Real property located within the municipal limits of the City of Hyattsville and within the State of Maryland Designated Gateway Arts & Entertainment District as illustrated immediately below:



D. AUTHORITY TO GRANT A TAX CREDIT FOR REAL PROPERTY LOCATED IN A REVITALIZATION TAX CREDIT DISTRICT. In conformance with the limitations and eligibility criteria established in this Section, the City Council may by resolution grant in its reasonable discretion a property tax credit against the City's real property tax imposed on real property located within a revitalization district if the property is substantially improved, constructed upon or redeveloped and is reassessed as a result of the improvement, construction or redevelopment at a substantially higher value than that assessed prior to the improvement, construction or redevelopment. For any proposed improvement, construction or development the City Council may set a deadline as appropriate for the proposed improvement, construction or redevelopment to commence construction, or completion date, or other conditions as applicable to the particular improvement, construction or redevelopment.

E. TAX CREDIT LIMITATIONS. An eligible property may receive a tax credit on all or part of those City real property taxes imposed on the property, but only those real property taxes which are attributable to or based on the increased assessment resulting from the taxable improvements, construction or reconstruction upon project completion. The duration of the tax credit granted shall not exceed ten (10) years.

F. ELIGIBILITY REQUIREMENTS. To be eligible for the tax credit, a property must meet the following eligibility requirements:

1. Improvements must include new construction, reconstruction, infill development, redevelopment, revitalization, or rehabilitation of residential (excluding single family detached), commercial, hospitality, office, existing parking lots, or mixed-use properties.
2. The applicant must be in good standing with the City. In order to be in good standing, applicants may not have any outstanding Code violations from any governmental entities, or be delinquent on any payments including, but not limited to, trash bills, permit fees and payable to federal, State, County entity or the City.
3. Projects are ineligible for this program if they are located within a tax increment financing district at the time of application.
4. The project is consistent with mission and goals of the City and of sufficient impact and benefit to the City and its citizens to justify extending a tax credit.

G. APPLICATION PROCESS.

1. An application for a City tax credit shall be submitted to the City during the planning phase of the project and in no event later than the submission of a building permit application to Prince George's County.
2. The application shall demonstrate that all eligibility requirements have or will be met and shall include the estimated value of the completed improvements and any additional information requested by the City as well as the amount of the tax credit

sought. All plans associated with the detailed site plan or building permit shall be submitted with the application, if applicable, including a legal description of the property.

3. The fee for submitting an application shall be one thousand dollars (\$1,000.00).
  4. Upon receipt and acceptance of a completed application, the City's Community and Economic Development department will refer a copy of the application to the City Administrator. City staff will provide a recommendation to the City Council as to whether to grant within sixty (60) days of the receipt of the completed application.
  5. Upon providing such recommendation, the City shall promptly hold a public hearing on the project and the staff recommendations prior to introducing any resolution regarding the revitalization tax credit for the proposed project.
- H. CITY COUNCIL RESOLUTION. A City Council resolution approving and providing the tax credit awarded must be passed by the Council stating the amounts and terms. The tax credit shall not be effective until the submission to the City of evidence of compliance with any City agreement, contingency, condition or required certifications and such other information or documentation as the City staff may reasonably require. Upon the City's examination of the evidence of compliance submitted on behalf of the project, the City will issue a certificate to the property owner that confirms the parcel's tax credit status. The credit may be in the form of a rebate of taxes or a decreased tax rate at the City's discretion.

**AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

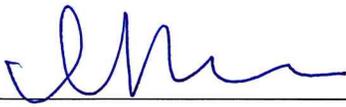
**AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20) days from the date of its adoption;

**AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

**INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on October 7, 2013.

**ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on October 7, 2013.

Adopted: Oct 7, 2013

Attest: 

  
Mayor