

By *Mr. Lampke*

Ordinance 69-06

ORDINANCE NO. 69-06

AN ORDINANCE CREATING THE BEXLEY OFFICE INCENTIVE PROGRAM TO PROVIDE INCENTIVES TO EMPLOYERS LOCATING WITHIN THE CORPORATE LIMITS OF THE CITY OF BEXLEY

WHEREAS, the City of Bexley, Ohio (the "City") desires to increase employment opportunities and encourage the creation of new jobs in the City to improve the overall economic health of the City and its citizens; and

WHEREAS, in furtherance of this effort, the Development Office of the City implemented the Bexley Tax Incentive Program, Policy and Procedures Plan to assist, encourage and stimulate redevelopment and new development opportunities in the City; and

WHEREAS, the City desires to offer a variety of incentives to employers to encourage the creation of new jobs and the general development of the City; and

WHEREAS, the City desires to create the Bexley Office Incentive Program to assist employers that create new jobs in the City by offering to such employers an annual cash incentive equal to a portion of the City income tax withheld from new employees located in the City for a specific period of time;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF BEXLEY, OHIO:

Section 1. This Council, with the full support of the Mayor, hereby creates the Bexley Office Incentive Program as one of the development tools needed for the City to attract new jobs to the City and continue to improve the overall economic health of the City and its citizens. Eligible employers can receive an annual cash incentive for a specific number of years of an amount equal to up to 50% of the City income tax withheld from "New Employee Positions." To qualify as "New Employee Positions," the positions must be all of the following: (1) full-time or full-time equivalent; (2) non-retail; (3) employed by private sector, for-profit entities; and (4) either newly created in the City after the execution of the agreement specified in this Ordinance or transferred from outside the corporate limits of the City to within the corporate limits of the City after the execution of the agreement specified in this Ordinance.

Section 2. The term of an incentive granted to an employer pursuant to the Bexley Office Incentive Program shall be determined as follows:

Employers New to Bexley – the term of the incentive shall be: for employers occupying leased space, up to two (2) years less than the lease term, not to exceed six (6) years; for employers using owner-occupied space, up to six (6) years.

Existing Bexley Employers – the term of the incentive shall be:

For use of existing space (whether leased or owner-occupied):

- a. 10 to 29 New Employee Positions – up to one (1) year;
- b. 30 or more New Employee Positions – up to two (2) years.

For expansion into newly leased or newly owner-occupied space:

- a. Leased Space – up to two (2) years less than the lease term, not to exceed six (6) years.
- b. Owner-Occupied Space – up to six (6) years.

Section 3. In order to qualify for the incentive, employers create hire a minimum of 10 New Employee Positions over the lesser of the term of the incentive or three years.

Section 4. The availability of this incentive shall be determined on a case-by-case basis in circumstances in which the Planning and Economic Development Director (the “Director”), the Mayor and Council believe that the incentive is necessary and appropriate to incentivize an employer to create New Employee Positions in the City. The availability of this incentive also is contingent on the receipt of an application by the City in a form not inconsistent with the provisions of this Ordinance and that shall be developed by the Director. Each applicant shall submit a non-refundable application fee in the amount of \$250 at the time that the application is submitted. Each incentive must be approved by this Council. Subsequent to such approval, a formal agreement shall be executed between the employer and the City outlining the terms of the incentive.

Section 5. Each agreement executed pursuant to Section 5 of this Ordinance shall include a provision requiring employers to use best efforts to hire residents of the City and use the Franklin County Department of Job and Family Services and/or the Private Industry Council, Inc. as primary employment sources to the fullest extent possible. In addition, the City may include in each agreement a provision requiring employers that receive funding from the Bexley Office Incentive Program to maintain operations in the City for twice the term of the incentive, the violation of which would require the employer to repay the full amount of the incentive.

Section 6. Annual funding of the Bexley Office Incentive Program is contingent on Council appropriation and approval based on the availability of general fund non-tax revenue.

Section 7. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 9.26, 2006

Melen Mac Murray
President of Council

Attest: [Signature]
Clerk of Council

8/02/06 First Reading
9/12/06 Second Reading
9.26.06 Third Reading
Passed.

Approved: 9/26, 2006

[Signature]
David H. Madison, Mayor