

BOROUGH OF CALIFORNIA  
COUNTY OF WASHINGTON  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 576

**AN ORDINANCE OF THE BOROUGH OF CALIFORNIA, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, REENACTING AND REAUTHORIZING CERTAIN TERMS, CONDITIONS AND PROVISIONS OF ORDINANCES NUMBERED 404, 430, 499 AND 532 TO EXTEND THE PROPERTY TAX EXEMPTION PERIOD FOR ECONOMIC INVESTMENT ON CERTAIN DETERIORATED INDUSTRIAL, COMMERCIAL AND OTHER BUSINESS PROPERTY, MORE SPECIFICALLY IDENTIFIED AS THE CALIFORNIA TECHNOLOGY PARK F/K/A THE MALDEN INDUSTRIAL PARK, FOR AN ADDITIONAL TEN YEAR PERIOD; REPEALING INCONSISTENT ORDINANCES OR PORTIONS OF INCONSISTENT ORDINANCES; CONTAINING A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on April 13, 1992, the Borough Council of the Borough of California enacted Ordinance No. 404, which authorized local economic revitalization tax assistance pursuant to Act 76 of 1977 (72 P.S. § 4722 *et seq.*), for the Malden Industrial Park, now known as the California Technology Park; and

WHEREAS, on March 14, 1996, Borough Council enacted Ordinance No. 430, which amended Ordinance No. 404 to modify the exemption schedule for real property taxes; and

WHEREAS, on March 9, 2006, Borough Council enacted Ordinance No. 499, which reenacted and reauthorized certain terms, conditions and provisions of Ordinance No. 404, as amended by Ordinance No. 430, to authorize the extension of the real estate property tax exemption period for the California Technology Park for an additional ten years; and

WHEREAS, on April 12, 2012, Borough Council enacted Ordinance No. 532, which reenacted and reauthorized certain terms, conditions and provisions of Ordinance No. 404, as amended by Ordinance No. 430 and Ordinance No. 499, to authorize the extension of the real estate property tax exemption period for the California Technology Park for an additional ten years; and

WHEREAS, said real estate tax exemption period has expired; however, Borough Council has deemed it appropriate to reauthorize and reenact the terms, conditions and provisions of Ordinance No. 404, as amended by Ordinance No. 430, as reenacted and reauthorized by Ordinance No. 499, and as reenacted and reauthorized by Ordinance No. 532, to further extend the real estate property tax exemption period for California Technology Park, as further growth and development of said park is consistent with the best interest and general welfare of the Borough of California and its residents; and

WHEREAS, Section Seven (7), Paragraph Two (2) of Ordinance No. 404 expressly authorizes the readoption of the terms, conditions and provisions established under Ordinance No. 404, as amended by Ordinance No. 430, as reenacted and reauthorized by Ordinance No. 499, and as reenacted and reauthorized by Ordinance No. 532.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Borough Council of the Borough of California, Washington County, Commonwealth of Pennsylvania as follows:

### **SECTION 1. EXTENSION OF PROPERTY TAX EXEMPTION PERIOD.**

Ordinance No. 404, as amended by Ordinance No. 430, as reenacted and reauthorized by Ordinance No. 499, and as reenacted and reauthorized by Ordinance No. 532, and specifically Section Seven (7) of Ordinance No. 404 is hereby amended to provide the following new language:

1. Unless sooner repealed by the Council of the Borough of California, Washington County, Pennsylvania, this Ordinance, and the terms and conditions of any amendments thereto, shall remain in full force and effect for an additional period of ten (10) years, commencing on April 21, 2022, and expiring automatically at the expiration of said ten (10) year period. Provided, however that any taxpayer who has received or applied for the exemption granted under Ordinance 404, as amended by Ordinance No. 430, reenacted and reauthorized by Ordinance No. 499, and reenacted and reauthorized by Ordinance No. 532, prior to the expiration date established hereunder, shall, if said exemption is granted, be entitled to the full exemption authorized herein.
2. Nothing contained in this provision shall act to prohibit the Borough Council from enacting a similar ordinance after the expiration of the term and effective date established hereunder.

### **SECTION 2. REPEAL OF PRIOR ORDINANCES.**

Any and all prior Ordinances or portions of prior Ordinances that are in conflict with this Ordinance are hereby repealed to the extent of such conflict. The remaining prior Ordinances and portions of prior Ordinances, not modified herein, shall remain the same.

### **SECTION 3. SAVINGS CLAUSE.**

Should any section, provision or other part of this Ordinance be found to be illegal, unenforceable or void, such shall not affect the remainder hereof, which shall remain fully binding, valid and enforceable, and such section, provision or other part shall be modified to the extent necessary to so conform to the law.

The Borough Council of the Borough of California hereby declares its intention that should any section, provision or other part of this Ordinance be found to be illegal,

unenforceable or void, it would have made the foregoing Ordinance without such part or with such part so modified so as to conform to the law.

**SECTION 4. EFFECTIVE DATE.**

For the purposes of calculation of the time periods established under this Ordinance, this Ordinance shall be deemed to become retroactively effective as of April 21, 2022 and shall expire as provided under this Ordinance.

DULY presented and adopted at a meeting of the Borough Council of the Borough of California, Washington County, Commonwealth of Pennsylvania, this 11<sup>th</sup> day of August, 2022.

ATTEST:

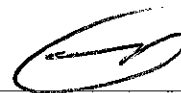
BOROUGH OF CALIFORNIA

  
Borough Secretary

By:   
President of Council

EXAMINED AND APPROVED by me this 8 day of Sept, 2022.

BOROUGH OF CALIFORNIA

By:   
Mayor