

**ORDINANCE 2024- 11**

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF SMITHVILLE, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND DIRECTING THE FORMATION OF A HOUSING COUNCIL.

WHEREAS, the village council (the “**Council**”) of the Village of Smithville, Wayne County, Ohio (the “**Village**”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the Village that have not enjoyed investment or reinvestment from remodeling or new construction; and,

WHEREAS, a survey of housing, a copy of which is attached hereto as **EXHIBIT A** and on file in the office of the Council’s Clerk, has been prepared for such areas of the Village, as required by Ohio Revised Code Section (“**R.C.**”) 3735.66; and,

WHEREAS, this Council desires to implement a community reinvestment area program pursuant to R.C. 3735.65 through R.C. 3735.70 (“**CRA**”), for the specific purpose of making available such real property tax exemptions to assist and encourage the remodeling and construction of structures within the boundaries of a designated CRA; and,

WHEREAS, upon being duly designated by the Director of the Ohio Department of Development under R.C. 3735.66, this Council intends for the terms and levels of exemption from real property taxation for residential, commercial, or industrial remodeling and new construction, set forth herein, to be available within the area described in **EXHIBIT B**, attached hereto and incorporated herein (with said area described as the “**Smithville CRA**”); and,

WHEREAS, the remodeling of existing and the construction of new structures classified as residential, commercial, or industrial within the Smithville CRA would serve to encourage economic stability, maintain real property values, generate new employment opportunities, and constitute a public purpose for which real property tax exemptions may be granted.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Smithville, Wayne County, Ohio:

SECTION 1: Pursuant to R.C. 3735.66, that the Smithville CRA, which boundaries are approximately depicted in Exhibit B, is hereby established and constitutes an area in which housing facilities or structures of historical significance are located, and in which new housing construction and repair of existing facilities or structures are discouraged.

SECTION 2: That remodeling of existing structures and construction of new structures within the Smithville CRA are hereby declared to be a public purpose for which exemption from real property taxation may be granted.

SECTION 3: That the remodeling of existing and the construction of new structures classified as residential, commercial, or industrial within the Smithville CRA are to be eligible for exemption under the Village's CRA.

SECTION 4: That all appropriately classified properties within the Smithville CRA are eligible for this incentive, subject to the exemption levels and durations set forth herein, with this action by Council constituting a public/private partnership intended to promote and expand conforming uses in the designated area. As part of this effort, the Village intends to undertake supporting public improvements within the Smithville CRA.

SECTION 5: Pursuant to R.C. 3735.67 that the following tax exemptions shall apply:

- a. Any part of a remodeled structure within the Smithville CRA for residential use upon which the cost of remodeling the said structure's existing envelope is at least Two Thousand Five Hundred Dollars (\$2,500.00) in the case of a dwelling containing not more than two family units will be a ten (10) year tax exemption for fifty percent (50%) of the amount by which the remodeling increased the assessed value of the property; and,
- b. Any part of a remodeled structure within the Smithville CRA for residential use upon which the cost of remodeling the said structure's existing envelope is at least Five Thousand Dollars (\$5,000.00) in the case of a dwelling containing three or more family units will be a ten (10) year tax exemption for fifty percent (50%) of the amount by which the remodeling increased the assessed value of the property; and,
- c. The tax exemption for construction of a new residential structure located within the Smithville CRA will be a ten (10) year tax exemption for fifty percent (50%) of the amount by which the construction increased the assessed value of the property; and,
- d. The tax exemption for new commercial or industrial structures and the remodeling of existing commercial or industrial structures, in such instances when the cost of remodeling is at least Five Thousand Dollars (\$5,000.00), may be exempted under the Village's CRA up to fifteen (15) years and up to one hundred percent (100%) of the amount by which the remodeling of existing structures or the construction of new structures increases the assessed value of the subject property. In those instances involving remodeling or construction of new structures for commercial or industrial purposes, there must be a written agreement with this Council entered into prior to commencement of said remodeling or construction, with approval by the board of education of the school district within which the property is located, as such school board approval may be necessary.

SECTION 6: That residential, commercial, or industrial projects located within the Smithville CRA seeking an exemption must submit an application in substantial form to that attached as EXHIBIT C.

SECTION 7: That to administer and implement the provisions of this Ordinance, the Village's Mayor is designated as the Housing Officer as set forth in R.C. Section 3735.66.

SECTION 8: That this Council hereby directs the formation of a CRA Housing Council pursuant to the requirements set forth in R.C. 3735.69 for purposes of making an annual inspection of the properties within the Smithville CRA for which an exemption has been granted under R.C. 3735.67 and to hear appeals under R.C. 3735.70.

SECTION 9: That this Council authorizes the Wayne County Tax Incentive Review Council, established by the Board of Commissioners of Wayne County via Resolution [88-578], to complete such inspection and reporting duties as are required under R.C. 5709.85 for purposes of the Smithville CRA. This Council authorizes the Mayor to appoint two members to the tax incentive review council in accordance with R.C. 5709.85.

SECTION 10: That this Council reserves the right to re-evaluate the designation of the Smithville CRA, including any amendments thereto, on or after December 31, 2025, at which time this Council may direct the Housing Officer not to accept any new applications for exemptions under R.C. 3735.67.

SECTION 11: That the Council Clerk is directed and authorized to send, by certified mail, one copy of this Ordinance and a map of the Smithville CRA included in Exhibit B to the Director of the Ohio Department of Development.

SECTION 12: That the Council Clerk further is directed and authorized to publish this Ordinance in a newspaper of general circulation within the Village once a week for two consecutive weeks immediately following adoption of this Ordinance, pursuant to R.C. 3735.66 or as provided in R.C. 7.16.

SECTION 13: This Council hereby finds and determines that all formal actions taken relative to the passage of this Ordinance were taken in an open meeting of this Council, and all deliberations thereby of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public, all in compliance with legal requirements including R.C. 121.22.

PASSED: 5-7-2024  
Date

Tom R. Poulson  
Tom Poulson, Mayor

ATTEST: \_\_\_\_\_  
\_\_\_\_\_, Clerk

## **EXHIBIT B**

### **Smithville CRA Boundary**

Starting at the intersection of Summit St. and Main St. to the northwest corner of parcel 33-00253.000; thence northeast along Main St. until the south eastern boundary of parcel 33-00722.000; thence north until the north western boundary of parcel 33-00568.001; thence northeast to the north eastern boundary of parcel 33-00568.002; thence south to the south eastern boundary of parcel 33-00568.002 thence northeast to the south western boundary of parcel 33-00119.000;

North to the north western boundary of parcel 33-00502.000 thence northeast to the north east boundary of parcel 33-00905.000 south to the south east boundary of parcel 33-00905.000; thence southwest to the north west boundary of parcel 31-01132.000; thence south to the south east boundary of parcel 33-00182.000; West to the eastern boundary of parcel 33-00112.000 south east to the south east boundary of parcel 33-00112.000 west to the south western boundary of parcel 33-00112.000 north to the southern boundary of parcel 33-00086.000 west to the south western boundary of parcel 33-00025.002; thence north to the southeastern boundary of parcel 33-00274.000 west to the south western boundary of parcel 33-00274.000 south to the north western boundary of parcel 33-00024.000; thence southwest to the north eastern boundary of parcel 33-00410.000 south to the south west boundary of parcel 33-00410.000; thence southwest to the north eastern boundary of parcel 33-00585.000 south east to the south east corner of parcel 33-00585.000 southwest to the south western corner of parcel 33-00585.000 northwest to the north eastern boundary of parcel 33-00856.000; thence southwest to the eastern boundary of parcel 33-00865.000; south to the northern boundary of parcel 33-00874.000; thence southwest to the eastern boundary of parcel 33-00354.000; thence southeast to the corner of parcels 33-00382.000 and 33-00383.000; west along the southern boundary of parcel 33-00751.000 to the southwest corner of parcel 33-00734.000; thence north to the intersection of Main St. and Summit St.

[See Attached Map with CRA Boundary in Red]

**EXHIBIT A**

**Survey of Housing**

[See Attached Survey of Housing]





**EXHIBIT C**

**CRA Application**

[See Attached CRA Application Forms]