

Ordinance 2022 (149)

ORDINANCE AUTHORIZING EXEMPTION FROM CERTAIN MUNICIPAL AD VALOREM TAXES ON CERTAIN NEW STRUCTURES AND NEW RENOVATIONS OF AND IMPROVEMENTS TO EXISTING STRUCTURES LYING WITHIN DESIGNATED CENTRAL BUSINESS DISTRICTS WITHIN THE CITY OF PETAL, MISSISSIPPI

WHEREAS, the Legislature of the State of Mississippi has provided a mechanism to encourage the economic revitalization of certain areas of municipalities through the granting of ad valorem tax exemptions for the promotion of business and commerce; and

WHEREAS, it would be in the best interest of the City of Petal to encourage the economic revitalization of certain geographic areas; and

WHEREAS, in order to have the authority to grant ad valorem tax exemptions as contemplated by Miss. Code Ann. Section 17-21-5, the City of Petal must designate the geographic boundaries of any "Central Business District" which it intends to include in the program; and

WHEREAS, in order to fairly and equitably implement these contemplated tax abatement policies for buildings with commercial uses, the City should establish certain criteria to be utilized in the evaluation of applications for exemption in order to determine whether an exemption should be granted or denied; and to determine the appropriate duration of any exemption granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI in regular meeting duly assembled, as follows:

ARTICLE 1. PURPOSE

The purpose of the ad valorem tax exemptions which are authorized in this ordinance is to promote the improvement and enhancement of business, commerce, or industry in the designated districts. The goals of the tax exemption program are: to facilitate the reconstruction and redevelopment of those parts of the existing structures within the commercial and business community which are in need of rejuvenation, maintenance, and repair; to facilitate the construction and development of new structures within the commercial and business community; to help offset current economic disincentives to the reconstruction, redevelopment, and new construction and development of those areas; and to attract quality commercial business enterprises to those areas.

Such exemption, if granted, shall be on any and all municipal ad valorem taxes, excluding ad valorem taxes for school district purposes, for a period of not more than seven (7) years, as stated in Article 4 herein below, for certain renovations of and improvement to existing structures and development of and construction of new structures lying within designated central business districts within the City of Petal, Mississippi.

ARTICLE 2. CENTRAL BUSINESS DISTRICT DESIGNATED

For the purpose of this Policy, the Petal Central Business District North is defined as follows:

Parcel Numbers 1, 2, 43-74, 74.01, 74.02, 74.03, 74.04, 75-83, 85.0, 85-89, 90.01 between Highway 11 and South George Street that are traditionally held as commercial, retail, or mercantile property.

Parcel Numbers 1-13, 12.02, 27, 29-36, 36.01, 36.02, and 37-42 between South George Street and South Main Street that are traditionally held as commercial, retail, or mercantile property.

Parcel Numbers 9, 10, 27-29, 55-61, 65, 66, 66.01, 67-72, 76-79, 81-87, 89, and 96-103 between East Central Avenue and East 4th Avenue that are traditionally held as commercial, retail, or mercantile property.

Parcel Numbers 219-224 between East Central Avenue and Old Richton Road that are traditionally held as commercial, retail, or mercantile property.

Parcel Numbers 153-170, and 176-180 on the East side North Main Street that are traditionally held as commercial, retail, or mercantile property.

Parcel Numbers 28, 29, 102-106, 136-137, 139, 160-165, 197-221, 223, 250.01, 250-254, 291-293, and 295 between Highway 11 and the West side North Main Street that are traditionally held as commercial, retail, or mercantile property.

***A map of the Petal Central Business District North is attached hereto and incorporated herein as an exhibit B.**

***These parcel numbers are subject to change at the discretion of the city of Petal for any reason**

For the purpose of the Policy, the Petal Central Business District South is defined as follows:

Parcel Numbers 1, 5-7, 7.01, 45, 46, 46.01, 48-53, and 55-58 along South Main Street that are traditionally held as commercial, retail, or mercantile property.

Parcel Numbers 14, 14.01, 60, 61, 63, and 64 between Carterville Road and Dawson Cutoff that are traditionally held as commercial, retail, or mercantile property.

***A map of the Petal Central Business District South is attached hereto and incorporated herein as an exhibit C.**

***These parcel numbers are subject to change at the discretion of the city of Petal for any reason**

ARTICLE 3. FORMULATION OF MUNICIPAL PROJECT

It is hereby determined that criteria for a municipal project for the improvement and enhancement of the central business district be now established; that a copy thereof be attached as an Exhibit "A" hereto, incorporated herein, and made a part hereof as though copied at length herein; and that same be now hereby adopted as a business improvement plan as contemplated by Miss. Code Ann. Section 17-21-5; and that the plans for any such structures and renovations of and improvements to existing structures be submitted with the permit application such that it can be determined that such project is intended to and will accomplish the revitalization of the central business districts.

ARTICLE 4. VALUE, TERM, AND APPLICATION FOR TAX EXEMPTION

The City does hereby find that, in order to qualify for a tax exemption hereunder, such project shall have the following values, with the corresponding term for the tax exemption:

a. Reconstruction/Renovation of Existing Structures

Exemption from ad valorem taxes for a period of seven (7) years may be granted for a project with a total value of not less than Five Thousand Dollars (\$5,000.00) for reconstruction and/or renovation of an existing structure.

b. Development/Construction of New Structures

Exemption from ad valorem taxes for a period of seven (7) years may be granted for a project with a total value of not less than Five Hundred Thousand Dollars (\$500,000.00) for development and/or construction of a new structure.

Exemption from ad valorem taxes for a period of five (5) years may be granted for a project with a total value of not less than Two Hundred Fifty Thousand Dollars (\$250,000.00) for development and/or construction of a new structure.

Exemption from ad valorem taxes for a period of three (3) years may be granted for a project with a total value of not less than One Hundred Fifty Thousand Dollars (\$150,000.00) for development and/or construction of a new structure.

The project as proposed shall be to promote the development of the designated central business districts and for the promotion of business, commerce, or industry in such designated districts. That application for exemption and permission to proceed with the proposed project shall be made in writing prior to commencement of such construction upon forms provided therefor, and shall have filed therewith the plans and/or designs as are herein required. Concurrent therewith, the applicant shall make application for a building permit as is then required; provided, however, that upon the granting of a permit to proceed for renovation or reconstruction of existing structures, any building permit fees pertaining to those renovations which might otherwise be due shall be waived. No building permit fees shall be waived for original or new construction projects hereunder. As a further condition for the granting of the tax exemption, any project for which permission to proceed has been granted shall be completed within twelve (12) months from date of such permit.

ARTICLE 5. COMPLETED PROJECT AND GRANT OF TAX EXEMPTION

Upon a finding upon its minutes of compliance with the requirements of this Ordinance that the completed improvements, renovations, or reconstruction to existing structures or the development or construction of new structures is for the promotion of business, commerce, or industry in the designated central business district, and that same will, in fact, accomplish the revitalization of the central business district, then an Order may be entered granting an ad valorem tax exemption as is hereby authorized for such period of time not to exceed seven (7) years as may, in the discretion of the governing authorities, be appropriate. Upon entry of such order, the City Clerk shall file one (1) copy with the Chairman of the State Tax Commission, one (1) copy with the State Auditor of Public Accounts, and one (1) copy with the Forrest County Tax Collector/Assessor.

Those costs and expenses incurred in a project for which a tax exemption is requested under the terms of this ordinance shall consist of, and be limited to, improvements, renovations, and reconstructions to existing structures; and development and construction of new structures.

The increase in assessed value qualifying for tax exemption shall be calculated by taking the assessed value of the improvements on the parcel for the year prior to the renovation, reconstruction, or new construction, and subtracting it from the assessed value of the completed improvements as they appear on the Forrest County Land Roll after completion and reassessment. The tax rate applicable to the land and the assessed value of the land shall not be affected by this program, nor shall the land be exempt from municipal taxation. As provided by statute, the qualifying improvements shall not be exempt from school district taxes.

ARTICLE 6. REQUEST FOR COUNTY AD VALOREM TAX EXEMPTION

The Forrest County Board of Supervisors is hereby requested to enact tax exemption policies, to the fullest extent authorized by law, including that which is authorized by Miss. Code Ann. Section 17-21-7, similar to those adopted by this ordinance in order to maximize the effect of the economic redevelopment incentives intended by this ordinance.

ARTICLE 7. REPEAL OF CONFLICTING ORDINANCES

All former ordinances, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance, are hereby repealed.

ARTICLE 8. SEVERABILITY

If any part, or parts, of this Ordinance be held unenforceable, the rest and remainder hereof shall not be affected thereby and shall remain in full force and effect.

ARTICLE 9. EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be effective thirty (30) days after its adoption and publication as required by law, and shall remain in full force and effect until repealed by a majority vote of the Board of Aldermen, at which time it shall stand repealed and of no further force and effect; provided, however, that any tax exemption granted under the terms hereof shall continue in effect for the full term of such exemption.

The Above and foregoing Ordinance having been first introduced in writing, was read and passed section by section, and then as a whole. Upon the question having been called for, the result of a roll call was as follows:

Those present and voting "Aye"

- Alderman Drew Brickson
- Alderman Craig Bullock
- Alderman Mike Lott
- Alderman Blake Nobles
- Alderman Gerald Steele
- Alderman Craig Strickland
- Alderman Steve Stringer

The Ordinance having received the affirmative vote of a majority of the members of the Board of Aldermen of the City of Petal, Mississippi, the Mayor declared said Ordinance to have been duly adopted.

SO ORDAINED, APPROVED, AND ADOPTED, this the 6th day of December, A.D., 2022.

Tony Ducker, Mayor



Attest:

Melissa Martin, City Clerk

Exhibit A.

**CRITERIA FOR A MUNICIPAL PROJECT FOR THE IMPROVEMENT AND
ENHANCEMENT OF THE CENTRAL BUSINESS DISTRICT**

Guidelines for tax abatement projects are as follows:

1. May be a Development/Construction project, meaning new construction on unused land or as redevelopment after demolition of an existing structure, or a Reconstruction/Renovation project, meaning work done on an existing structure to improve exterior or publicly accessible interior, including beautification and signage.
2. Development/Construction projects should leave room by the road for sidewalk installation.
3. Must be commercial or industrial use (not residential or multifamily)
4. Routine maintenance on a building does not qualify for abatement.
5. The decision of whether or not to grant the abatement rests with the sole discretion of the mayor and board of aldermen based upon the project meeting the above criteria and the goals of promoting business, commerce, or industry within the city.

Exhibit B.

MAP OF PETAL CENTRAL BUSINESS DISTRICT NORTH

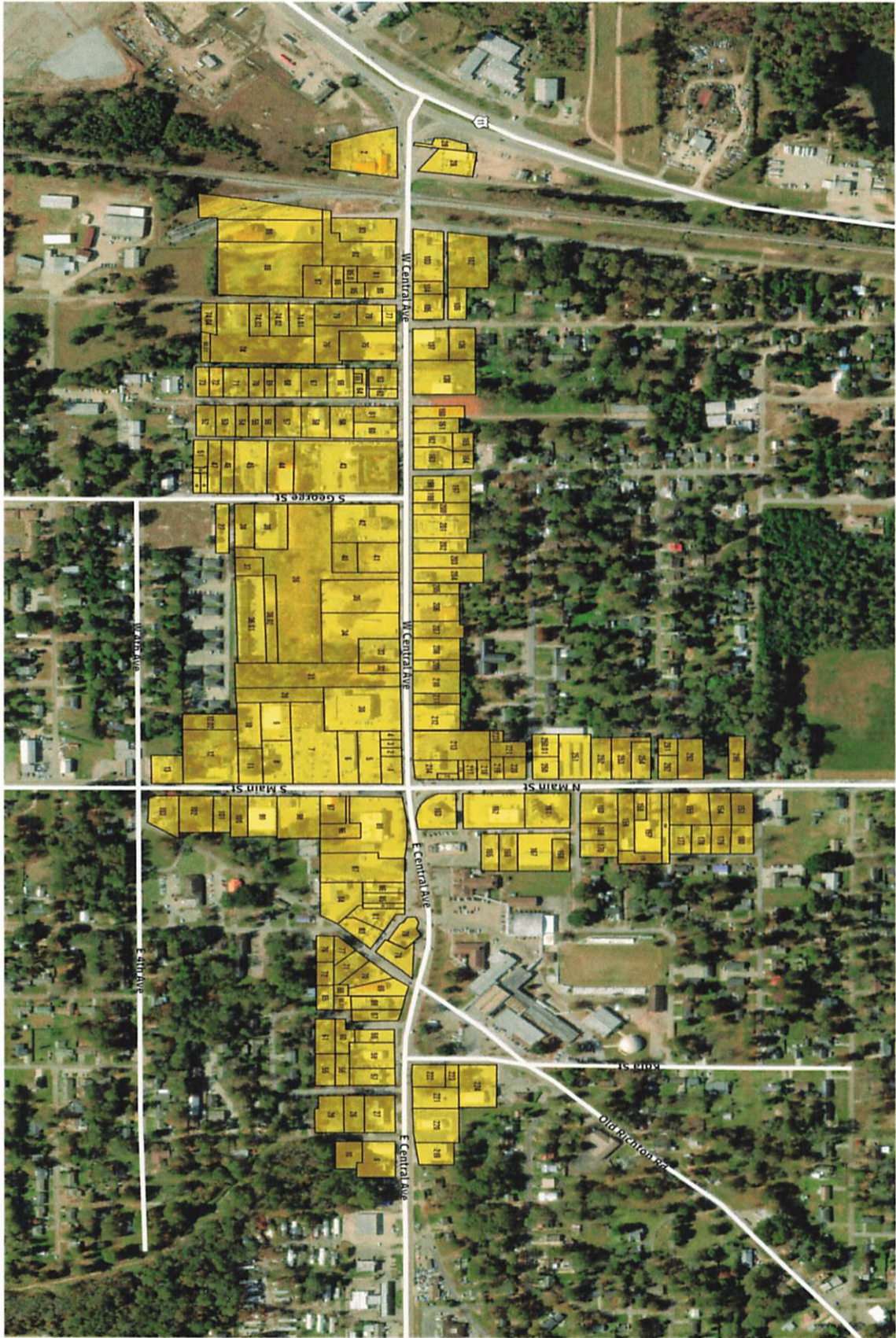


Exhibit C.

MAP OF PETAL CENTRAL BUSINESS DISTRICT SOUTH

