

RESOLUTION 2024- 012
DELAWARE COUNTY COUNCIL

A RESOLUTION ADOPTING TAX ABATEMENT GUIDELINES

WHEREAS, the Delaware County Council is the Designating Body authorized and empowered under the provisions of I.C. §6-1.1-1.1 et. seq. to grant deductions from assessed values for real estate and personal property taxes; and

WHEREAS, the Delaware County Council believes it is in the best interests of the citizens of Delaware County, Indiana and of future applicants seeking such a deduction to establish Tax Abatement Guidelines; and

WHEREAS, the Tax Abatement Committee has submitted Tax Abatement Guidelines to the Delaware County Council for review and adoption;


NOW THEREFORE BE IT RESOLVED that:

1. The Delaware County Council hereby adopts the Tax Abatement Guidelines attached hereto and incorporated by reference.

Dated this 25 day of JUNE, 2024.



Jessica Piper, President



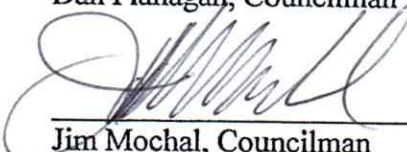
Matt Kantz, President Pro Tempore



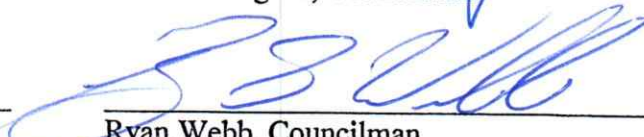
Dan Flanagan, Councilman




William Hughes, Councilman



Jim Mochal, Councilman



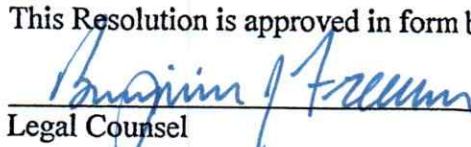
Ryan Webb, Councilman



Eugene Whitehead, Councilman

Attest:


Ed Carrol Jr., Auditor

This Resolution is approved in form by


Legal Counsel

DELAWARE COUNTY COUNCIL

TAX ABATEMENT GUIDELINES

In Indiana, tax abatement is technically referred to as an economic revitalization area (ERA) deduction. The process begins with the designation of one or more parcels of real property located in an unincorporated part of Delaware County, Indiana, as an ERA. Subsequent investment in real estate improvements made or qualified personal property installed thereon may be eligible for tax abatement.

Tax abatement is a tool for local government to encourage expansion of economic activity and job creation. It is an incentive for private investment in new construction or rehabilitation of buildings or the installation of new manufacturing equipment, logistical equipment, information technology equipment, or equipment used in experimental or laboratory research and development. Tax abatement is granted conditionally based on the applicant's ability to achieve project goals such as investment and jobs. If tax abatement is approved, the applicant will be solely responsible for filing of all reports required by Indiana state law.

When tax abatement is granted, property taxes may be phased in based upon the increase in assessed value that results from the new investment. Due to tax abatement, property taxes cannot be lower than the prior year's taxes. The phase in period is determined by the County Council within the framework of Indiana state law and cannot exceed a maximum of ten years for either new real estate investment or new equipment. **An application for tax abatement, including the statement of benefits form (SB-1), must be submitted together with a nonrefundable fee of \$250.00 prior to filing for building permits for new real estate improvements or the execution of a binding purchase order or agreement for new equipment.**

Granting of tax abatement is within the sole discretion of the County Council. The factors that will be considered for evaluating each application for Economic Revitalization Areas and Tax Abatement are as follows:

1. The investment must qualify for consideration under Indiana state law.
2. Applicants are expected to give local contractors and suppliers the opportunity to participate in the project whenever possible.
3. The number of jobs retained and/or created within the local workforce relative to the amount of the investment will be a paramount consideration.

4. The level of wages and benefits will be an important consideration.
5. Projects should be compatible with existing land uses and able to comply with local zoning ordinances. Projects that require variances or special exceptions will require additional review.
6. Adverse environmental impacts will negatively affect the consideration of an application.
7. Any need for additional public infrastructure or other additional public support for the project will be considered.
8. Tax abatement shall not be used to obtain an unfair competitive advantage over existing local businesses.
9. Applicants shall fully comply with all requests for information or documentation relative to the project.
10. Tax abatement is particularly appropriate for established, locally owned businesses with a record of job creation and retention who want to invest in new real estate improvements or new equipment.

All applications will be referred to the Tax Abatement Committee for review. The Committee may provide comments and recommendations to the Council, but its determination is not binding upon the Council. The Applicant or its representative must be present at all meetings of the Tax Abatement and the County Council at which the project will be considered.

At least ten (10) days prior to any public hearing before the County Council held in connection with an application or the designation of an ERA, the applicant will send the notice of the hearing prepared by the County Auditor by first class United States mail to every owner of real estate adjoining the site of the project as shown in the records of the County Auditor and shall file proof of mailing with the County Council at the public hearing.