

PART I

Downtown State College Neighborhood Improvement District

Section 901. Legislative Findings. The Council of the Borough of State College finds that the owners of properties including business, professional, commercial and residential properties in the core business district of the Borough of State College desire a downtown that is attractive, clean, safe and friendly to residents, visitors and business invitees. Furthermore, the Commonwealth of Pennsylvania has adopted enabling legislation, specifically the Neighborhood Improvement District Act, 73 P.S. § 831, Act No. 2000-130, authorizing the creation of Neighborhood Improvement Districts to enable property owners in neighborhoods to provide services to their neighborhoods that supplement municipal services otherwise provided. The legislation provides for the assessment of property owners within the Neighborhood Improvement District to pay for those additional services and the Council of the Borough of State College believes that such a district is necessary and desirable to strengthen the downtown and improve the probability of success of businesses and the preservation of the amenities of life for residents and commercial occupants within the Improvement District. (Ordinance 1694, January 9, 2002, Section 1.)

Section 902. District Established. As authorized by Act 2000-130, 73 P.S. § 831 et seq. known as the Neighborhood Improvement District Act of 2000 (hereinafter the “Act”), the Downtown State College Neighborhood Improvement District (hereinafter the “District”) is established with boundaries depicted on Revised Exhibit A attached hereto and made a part hereof, generally encompassing an area bounded by the easterly side of Atherton Street, the westerly side of Sowers Street, the northerly side of College Avenue and the northerly side of Highland Avenue. (Ordinance 1694, January 9, 2002, Section 2, as amended by Ordinance 1699, April 15, 2002, Section 1⁶⁵.)

Section 903. Management. The Downtown State College Neighborhood Improvement District Management Association, Inc., a nonprofit corporation, is appointed as administrator of the Downtown State College Neighborhood Improvement District and authorized to exercise all powers provided for in Section 7 of Act 130, 73 P.S. § 837. (Ordinance 1694, January 9, 2002, Section 3.)

Section 904. Levy of Special Assessment. In accordance with the provisions of § 4 (10) of Act 130, 73 P.S. § 834 (10), an assessment fee is hereby imposed on all properties located within the boundaries of the District.

a. Amount and Method of Assessment. The assessment shall be made as of January 1, 2017 and shall be as follows:

(1) Commercial properties designated with the codes C, CB, CG, CH, CL, CM, CO, CR, and CS shall be assessed at the rate of five (5) mills for each dollar of assessed value.

(2) Commercial apartments designated with the code CA shall be assessed at the rate of four (4) mills for each dollar of assessed value.

(3) Residential properties designated with the codes R, RA, and RF shall be assessed at the rate of three (3) mills for each dollar of assessed value.

(4) Mixed use, commercial, and commercial apartment combinations designated with the CC code shall be assessed at the rate of five (5) mills for each dollar of assessed value of the commercial portion and four (4) mills for each dollar of the assessed value of the commercial apartment portion, as determined by the assessment records for such properties maintained by the Centre County Assessment Office.

(5) Individual parking spaces for residential or commercial condominiums designated with the code L1 shall be assessed at the rate of zero (0) mills for each dollar of assessed value.

(6) Tax exempt properties shall be excluded from the payment of the special property assessment provided such properties are carried as tax exempt in the assessment records for Centre County, Pennsylvania.

b. Payment of Assessment. Payment of assessment shall be due 60 days following the date of mailing of the notice of assessment.

(1) Installments may be made in the following manner:

(a) 40 percent of the total assessment to be paid within 60 days of the date of the mailing of the notice of assessment.

(b) Remaining 60 percent paid within 150 days of the date of mailing of notice of assessment. Installment payments made after 60 days from the date of the mailing of the invoice shall incur interest at the rate of 6% on the unpaid balance.

c. Liens. Assessments shall constitute liens and encumbrances upon the assessed property and shall be collectable in accordance with the provisions of § 7(d) of Act 130, 73 P.S. § 837 (d) and in general may be collected in the same manner as municipal tax claims notwithstanding the provision of this section as to installment payments.

(Ordinance 1694, January 9, 2002, Section 4, as amended by Ordinance 1699, April 15, 2002, Sections 2 and 3, Ordinance 1764, December 22, 2003, Ordinance 1802, December 22, 2004, and by Ordinance 1832, December 20, 2005, Ordinance 1862, December 18, 2006, Section 1, Ordinance 1886, December 17, 2007, Section 1, Ordinance 1919, December 15, 2008, Ordinance

1942, December 21, 2009, Ordinance 1958, December 20, 2010, Ordinance 1978, December 19, 2011, Section 1, and by Ordinance 2009, December 17, 2012, Section 1, Ordinance 2034, December 16, 2013, Section 1, Ordinance 2059, December 15, 2014, Section 1, and by Ordinance 2068, December 21, 2015, Section 1, Ordinance 2083, December 19, 2016, Section 1.)

Section 905. Collection of Assessments. The Downtown State College Neighborhood Improvement District Management Association, Incorporated (NIDMA), is designed as the collector for the special assessments provided for herein. The Finance Department of the Borough will create and maintain such records of properties, special assessments, payments, and related matters for the properties within the District and will assist the NIDMA in carrying out collection. The NIDMA will reimburse the Borough for labor, materials, and expenses incurred by the Borough for the collection of the special assessments and the operation of the State College Neighborhood Improvement District. (Ordinance 1694, January 9, 2002, Section 5, as amended by Ordinance 1699, April 15, 2002, Section 4, and by Ordinance 1732, December 16, 2002.)

Section 906. Sunset Provisions.

a. The Downtown State College Neighborhood Improvement District shall automatically terminate on December 31, 2021, unless continued or extended by subsequent action of the Council of the Borough of State College in accordance with the provisions of Act 130, 73 P.S. § 830 et seq.

b. In the event of termination, all property of the Downtown State College Neighborhood Improvement District shall pass to the Borough and the Downtown State College Neighborhood Improvement District shall cease to exist.

(Ordinance 1694, January 9, 2002, Section 6, as amended by Ordinance 1855, November 20, 2006, Section 1.)