

ORDINANCE

#07-07

WHEREAS, THE CITY OF DUBLIN, GEORGIA, DESIRES TO CREATE THE PROPER ECONOMIC AND SOCIAL ENVIRONMENT TO INDUCE THE INVESTMENT OF PRIVATE RESOURCES IN PRODUCTIVE BUSINESS ENTERPRISES AND SERVICE ENTERPRISES, LOCATED IN AN AREA MEETING CRITERIA ESTABLISHED UNDER AND SET FORTH IN TITLE 36, CHAPTER 88 AND SUBSEQUENTLY AMENDED, KNOWN AS THE ENTERPRISE ZONE EMPLOYMENT ACT OF 1997 FOR THE STATE OF GEORGIA AS SET FORTH IN GEORGIA STATUTES ANNOTATED, HEREINAFTER REFERRED TO AS THE ACT, AND TO PROVIDE EMPLOYMENT TO RESIDENTS OF SUCH AREA;

NOW, THEREFORE, THE MAYOR AND COUNCIL OF DUBLIN, GEORGIA HEREBY ORDAINS:

SECTION 1

In the geographic area known as the Martin Luther King, Jr. Corridor as herein described in Exhibit A, a copy of which is attached hereto and hereby incorporated by reference, in compliance with OCGA 36-88-6 and as subsequently amended, the following findings of fact are made:

- a) **Pervasive Poverty** The Martin Luther King, Jr. Corridor suffers from pervasive poverty that is widespread throughout the nominated area and is evidenced and established by the following criteria:

The area is located in census tracts 9508 and 9509 and contains four contiguous Block Groups. In all four of the Block Groups within the nominated area, the ratio of income to poverty level for at least 20 percent of the residents is less than 1.0 as determined from the most current United States decennial census prepared by the U.S. Bureau of Census (2000).

Census Tract 9508, Block Group 1: 38.71 % persons with income to poverty ratio <1.0
Census Tract 9909, Block Group 1: 66.07 % persons with income to poverty ratio <1.0
Census Tract 9909, Block Group 2: 49.52 % persons with income to poverty ratio <1.0
Census Tract 9909, Block Group 3: 47.33 % persons with income to poverty ratio <1.0

- b) **Unemployment** is evidenced in the Martin Luther King, Jr. Corridor area by the use of data published by the office of Labor Information Systems of the Georgia Department of Labor indicating that the average rate of unemployment for the nominated area for the preceding calendar year is at least 10 percent higher than the state average rate of unemployment. The average rate of unemployment for Laurens County in 2006 was 5.1%, while the state average for 2006 was only 4.5%. In the last year, the number of Georgia Unemployment Insurance Initial Claims in Laurens County has risen 8.9%, compared with a 3.8% decrease statewide.

- c) **General Distress** - The Martin Luther King, Jr. Corridor area suffers from general distress and adverse conditions as evidenced from the data collected in the City of Dublin Urban Redevelopment Study dated January 2006, which Study is included herein by reference. Many of the buildings lack attractive design, signage and curb appeal, while others are obsolete, deteriorating and structurally unsound. There are many of abandoned, dilapidated and obsolete buildings within the nominated area, both commercial and residential. Vacant and declining properties throughout the Corridor continually threaten viability and stability. The area suffers from neglect and for the most part is simply worn, outdated and incompatible with today's consumer demands. Even worse, it has lost its social vitality and has become, in some places, a haven for drug use and crime. Surrounding residential communities that make the US census tract areas below the 20% poverty level are indicative of the blight, disinvestment and economic distress of the area. The nominated area contains at least one identified Environmental Protection Agency site that has been cleaned up. Several Brownfield areas can be found in the form

of abandoned agricultural and industrial-use sites within the area that may pose potential environmental contamination concerns.

- d) **Underdevelopment-** Mr. Johnny Parham, chief Building Inspector of the City of Dublin states that his department, Planning and Zoning, has amassed data that indicates a lack of development activity in the area. Fewer land disturbance permits and building permits are issued there, and his department collects less development fees, impact fees other similar fees from the Corridor. This indicates that the level of development in the nominated area is lower than development activity within the local governing body's jurisdiction overall. Tammy Hayes of the Finance Department for the City collects business license fees, and states that she issues fewer business licenses along Martin Luther King Blvd than along other major commercial thoroughfares in Dublin.
- e) **General Blight** –The entire Martin Luther King, Jr. Corridor area was included in an urban redevelopment area as defined by paragraph (20) of Code Section 36-61-2. An urban redevelopment plan was adopted by the City of Dublin for the area according to the requirements of Chapter 61 of Title 36 of the Official Code of Georgia.

SECTION 2.

Based upon the findings of fact set forth in Section 1 of this ordinance the Council finds the Martin Luther King, Jr. Corridor area meets the qualifications of the Enterprise Zone Act.

SECTION 3.

In order to alleviate the above conditions the Council hereby designates the Martin Luther King, Jr. Corridor area described in Exhibit A, attached hereto and incorporated by reference herein, as an Enterprise Zone to be known as the "Martin Luther King, Jr. Corridor Enterprise Zone Development Area."

SECTION 4.

The Council shall be the authorized agency to act in all matters pertaining to the enterprise zones and reserves the power to grant the incentives listed below to qualifying businesses or qualifying service enterprises in accordance with the authorization granted local governments in the administration of the enterprise zone in the Enterprise Zone Employment Act.

SECTION 5.

The Council shall exempt any Qualifying Business Enterprise or Qualifying Service Enterprise as defined in O.C.G.A § 36-88-3 from state and municipal ad valorem property taxes (excluding property taxes imposed by school districts) in an amount not to exceed those set forth in section (a) of OCGA 36-88-8, as may be subsequently amended, provided said Qualifying Business or Service Enterprises meet the qualifying criteria outlined in OCGA 36-88-4.

SECTION 6.

The Council may grant other incentives, as provided by OCGA 36-88-7 and 36-88-9 and as may be subsequently amended from time to time. Such incentives will be negotiated by the Mayor and Council on a case-by-case basis and may include, but not be limited to, exemptions from any or all of the following: occupation taxes, regulatory fees, building inspection fees, and other fees that would otherwise have been imposed on a qualifying business.

The Council may make determinations of eligibility for each business enterprise or service enterprise based on the quality and quantity of such additional economic stimulus as may be created within the City of Dublin. Criteria for consideration may include but not be limited to the following:

- a) The value of the business to the economic health and well being of Dublin and its citizens.
- b) Capital investment or reinvestment by the business equal to or greater than the amount of ad valorem tax abated over the first five years of the tax incentive.
- c) Locating in a vacant or historic building;
- d) Demolishing an obsolete, abandoned and/or deteriorating pre-existing structure;
- e) Enhancing the area by incorporating elements such as significant landscaping, area-compatible facade materials and exclusion of billboards on premises;
- f) Assembling multiple tracts of land for one project;
- g) Creating jobs above the state threshold; and
- h) Creating jobs for residents of the Enterprise Zone and surrounding area.

SECTION 7.

The Council further directs and designates Deborah Stanley, its Grants Coordinator, as liaison for communication with the Georgia Department of Community Affairs; the Georgia Department of Industry, Trade, and Tourism; the business community; and all others to oversee enterprise zone activities and administration, and communication with qualified businesses and qualified service enterprises as outlined in this ordinance.

SECTION 8.

The Council has the power to administer, require, and enforce compliance with the provisions of the ordinance and such administrative rules or regulations adopted hereinafter by way of resolution including but not limited to reports and data information from businesses within the enterprise zone to verify compliance with this ordinance and state law.

SECTION 9.

A qualifying business enterprise or service enterprise shall enter into a contractual agreement setting forth the incentives offered to such entity and including the guidelines for the recapture, revocation, or reimbursement of the incentives should the terms of the contract be violated by the target business.

SECTION 10.

Creation of this enterprise zone is consistent with the comprehensive plan of the City of Dublin, which plan was adopted pursuant to Chapter 70 of title 36 of the Official Code of Georgia.

SECTION 11.

This ordinance shall take effect immediately upon adoption by the Council.

SO ADOPTED, this 7th day of June 2007 By a vote of (5) FOR and (0) AGAINST and (1) ABSTAINED.



PHIL BEST, SR., Mayor

ATTEST:



Joe M. Kinard, III, City Clerk

Ordinance
#07 - 07