

1                                   **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**

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3                                   **ORDINANCE NO. 2017- 32**

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5                                   **An Ordinance to Establish a Fee to Defray the Cost of Obtaining Professional**  
6                                   **Review of Annual Compliance Documents in Order to Assure that the Minimum**  
7                                   **Assessed Valuation Requirements and the Resulting Tax Payments for Personal**  
8                                   **Property Tax Abatements in the City have been Met**  
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11                                   WHEREAS, the Common Council (“Council” ) of the City of Hobart (“City”) has been  
12                                   advised by the City’s Department of Development that requests for personal property tax  
13                                   abatements by local commercial and industrial concerns are increasing in number as well as size;  
14                                   and  
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16                                   WHEREAS, it is necessary and desirable for the Council to have the benefit of expert  
17                                   professional review of the documents submitted by a business applicant who has received the  
18                                   abatement of taxes on qualifying personal property from the Council pursuant to the pertinent  
19                                   provisions of I.C. 6-1.1-12.1, both at the time the abatement is granted, and annually thereafter  
20                                   while the period of abatement is in effect; and  
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22                                   WHEREAS, the Council has been advised that the determination of whether or not an  
23                                   abatement recipient has complied with the minimum assessed valuation requirements and the  
24                                   resulting personal property tax payments for the abatement grant is a complex matter, requiring  
25                                   an analysis best accomplished by professionals familiar with the personal property tax  
26                                   assessment rules of the State of Indiana, and acquainted with the generally accepted  
27                                   governmental accounting principles that apply; and  
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29                                   WHEREAS, the Council, in view of these considerations, desires to implement a fee  
30                                   payable by applicants for personal property tax abatements, sufficient to cover the professional  
31                                   fees and costs of the City’s independent government finance consultant in reviewing and  
32                                   reporting on the compliance of abatement applicants and abatement holders with the minimum  
33                                   assessed valuation requirements and the resulting personal property tax payments, and reporting  
34                                   their findings to the Council.  
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36                                   THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,  
37                                   Indiana as follows:  
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39                                   SECTION ONE. Chapter 32 of the Municipal Code of the City of Hobart  
40                                   (“Code”) entitled “GENERAL PROVISIONS,” in §32.02 now entitled “TAX  
41                                   ABATEMENT POLICIES; ADOPTED BY REFERENCE” is hereby amended  
42                                   by striking out the title and all language contained in said section and inserting in  
43                                   lieu thereof the following new title and language:  
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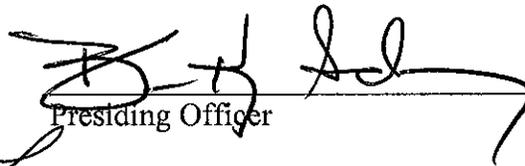
**§32.02. TAX ABATEMENT POLICIES ADOPTED BY REFERENCE; FEE FOR COMPLIANCE REVIEW OF PERSONAL PROPERTY TAX ABATEMENTS.**

(A) The tax abatement policies of the City enacted in resolution form are hereby adopted by reference and incorporated herein as if set out in full.

(B) An applicant for personal property tax abatement pursuant to I.C. 6-1.1-12.1, or a party that has been previously granted a personal property tax abatement under that chapter of the Indiana Code, prior to the action of the Common Council finalizing the abatement or approving annual compliance, for as long as the abatement remains in effect, shall annually pay to the Clerk-Treasurer of the City a fee in the amount of \$1,500 for the services of the City’s financial consultant in reviewing the documents and supporting information submitted by the applicant or party holding a personal property abatement, to determine whether the minimum assessed valuation requirements and the resulting personal property tax payments of the abatement have been satisfied.

*SECTION TWO.* This Ordinance shall take effect upon its adoption in the manner required by law, and shall apply to every application for abatement pending but not yet approved by the Common Council, and to every annual compliance submission for a personal property abatement previously granted, but not yet approved, at the time of this Ordinance’s adoption.

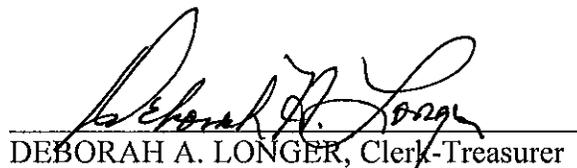
ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 20<sup>th</sup> day of December, 2017.

  
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Presiding Officer

ATTEST:

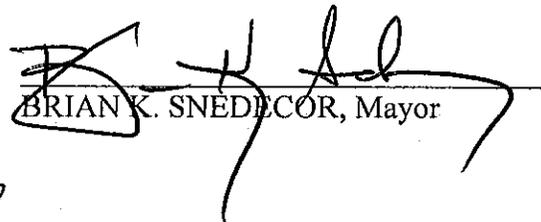
  
\_\_\_\_\_  
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 20<sup>th</sup> day of December, 2017 at the hour of 7:15 pm.

  
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DEBORAH A. LONGER, Clerk-Treasurer

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APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 20<sup>th</sup> day of December, 2017.

  
BRIAN K. SNEDECOR, Mayor

ATTEST:

  
DEBORAH A. LONGER, Clerk-Treasurer