

AN ORDINANCE SUPPORTING AN APPLICATION FOR AN ENHANCED ENTERPRISE ZONE AND ESTABLISHING THE REAL PROPERTY TAX ABATEMENT AND LISTING THE ELIGIBLE ENHANCED BUSINESS ENTERPRISES BY NAICS FOR THE TANEY COUNTY ENHANCED ENTERPRISE ZONE.

WHEREAS, the Department of Economic Development of the State of Missouri has provided a ‘qualifying run’ showing the City of Branson has an eligible area which meets the criteria of population, poverty, and unemployment as defined in 135.953.1(2)(3)(4) for an EEZ designation; and

WHEREAS, Sections 135.950 through 135.973, RSMo, provide a means and an opportunity for the City of Branson to cooperate with the State of Missouri to relieve economic distress and attract new jobs to our area; and

WHEREAS, a public hearing was held by the Taney County Commissioners on September 26, 2012, regarding the new zone; and

WHEREAS, the Board of Alderman of the City of Branson supports this type of incentive to assist businesses in their efforts to locate in the County of Taney; and,

WHEREAS, the aim of the Green Community Program is the reduction of fossil fuel consumption in the City so as to: (a) reduce the climate effects of greenhouse gas productions; (b) reduce energy costs of the City and City residents; (c) increase the City’s energy independence; and (d) provide an example for others to follow;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: The City of Branson supports and endorses an application for an Enhanced Enterprise Zone to include the cities of Branson, Hollister, Forsyth, Rockaway Beach, and the Villages of Bull Creek, Merriam Woods, Kirbyville, Taneyville and unincorporated areas of Taney County, as outlined in the map attached as “Exhibit A”.

Section 2: Those eligible facilities will receive a fifty percent (50%) property tax abatement on improvements to real property, not to include land or personal property, for a maximum of ten (10) years from assessment of improvements if qualified businesses in the industry clusters listed below employ at least 2 new, full-time equivalent employees; reside within the Taney County Enhanced Enterprise Zone and spend a

minimum of \$100,000 in new investment for a new or expanding industry or \$1,000,000 in new investment for a replacement facility. The tax abatement provided under this ordinance shall apply to the following political subdivisions located within Taney County: The City of Branson. The eligible facilities shall include those companies which operate in Missouri under the following North American Industry Classification System (NAICS) Codes.

- Agriculture, Forestry, Fishing and Hunting (NAICS 11);
- Mining (NAICS 21);
- Utilities (NAICS 22);
- Construction (NAICS 23);
- Manufacturing (NAICS 31 – 33);
- Wholesale Trade (NAICS 42);
- Transportation and Warehousing (NAICS 48 49);
- Information (NAICS 51);
- Finance and Insurance (NAICS 52);
- Real Estate and Rental and Leasing (NAICS 53);
- Professional, Scientific, and Technical Services (NAICS 54);
- Management of Companies and Enterprise (NAICS 55);
- Administrative and Support and Waste Management and Remediation Disposal Services (NAICS 56 with the exclusion of NAICS 562112-Hazardous Waste Collection, 562119-Other Waste Collection, 562211-Hazardous Waste Treatment and, 562212-Solid Waste Landfill, 562213-Solid Waste Combustor and Incinerators, and 562219-Other Nonhazardous Waste Treatment and Disposal)
- Health Care and Social Assistance (NAICS 62);
- Arts, Entertainment, And Recreation (NAICS 71 with the exclusion of NAICS group 7132-Gambling Establishments);
- Accommodation and Food Services (NAICS 72 with the exclusion of NAICS subsector 722-Food and Drinking Places);
- Other Services (NAICS 81 with the exclusion of NAICS group 8131-Religious Organizations);

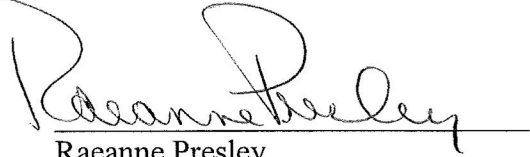
Section 3: Applicants for the Enhanced Enterprise Zone must make application to the Taney County Assessor's office prior to any improvements being made to the property. The application must contain a construction timeline with an anticipated end date of construction. It must also contain a description of the scope of business. Once the application is received, the County Assessor will call a meeting of the members of the Taney County Enhanced Enterprise Zone Advisory Board to review the application to determine if the applicant meets the qualifications of the Taney County Enhanced Enterprise Zone as set forth in this ordinance.

Section 4: Should the application be approved by the Taney County Enhanced Enterprise Zone Advisory Board, the approved amount of taxes on improvements to real property will be abated from the date of approval by the Enhanced Enterprise Zone Advisory Board. The construction period will count toward the years of total abatement.

- Section 5: The industry must notify the County Assessor in writing when construction is completed. If extenuating circumstances prevent the industry from meeting the construction end date in the original application approved by the Enhanced Enterprise Zone Advisory Board, notification in the form of a letter detailing the circumstances that prevented the completion of construction must be made to the County Assessor prior to the construction end date provided in the original application. The Enhanced Enterprise Zone Advisory Board will review the circumstances and determine if an extension should be granted.
- Section 6: On or before May 1 following the end date of construction, the industry must provide a notarized affidavit of proof of at least 2 new full-time equivalent employees employed by the organization to the County Assessor. The affidavit shall include documentation such as W-2s, state and federal quarterly reports and utility bills for each new full-time equivalent employee. After this period, proof of employee retention shall be supplied in the same manner.
- Section 7: If the industry does not meet the employee requirement by May 1 following the end date of construction, the industry shall be placed on the tax roll. The industry will also be required to repay previous years of abatement plus interest and penalties. If the industry fails to meet the employee requirement on May 1 following the end of construction, it will be ineligible for any abatement through the Enhanced Enterprise Zone from that date forward.
- Section 8: Any abatement or exemption provided within the Enhanced Enterprise Zone on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at such location. For the purposes of this Enhanced Enterprise Zone, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and a "major reduction in force" is defined as a reduction of ninety-five (95%) or more in the number of persons actually working at the location. Any owner or new owner of the industry may reapply for exemption, but cannot receive the abatement or exemption for any period of time beyond the original life of the Enhanced Enterprise Zone.
- Section 9: All contracts bid shall be advertised in the county newspaper and spec sheets made available on request.
- Section 10: If any roads used during or after construction are not up to or better than pre-construction standards for any industry receiving abatement, restitution will be made for their repair by May 1. Inspection and approval of road condition will be made by the governing authority or political subdivision responsible for said road or a designee of their choosing. If road standards are not met, property tax abatement will be null and void.

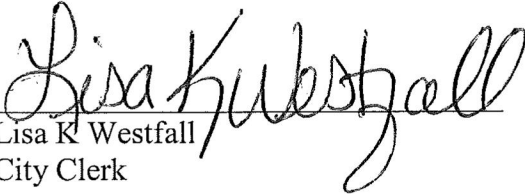
Read, this first time on this 9th day of October, 2012.

Read, this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri this 23rd day of October, 2012.



Raeanne Presley
Mayor

ATTEST:



Lisa K Westfall
City Clerk

APPROVED AS TO FORM:

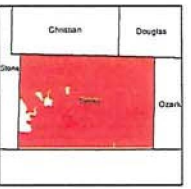


William T. Duston
City Attorney

Taney County Enhanced Enterprise Zone

Reference

- Enterprise Zone Boundary
- County Boundary
- Blockgroup Boundary
- Township Boundary
- Rail Siding/Spur
- US Highway
- Rail Main Network
- State Highway
- State Route
- Street/Road
- Stream
- Municipal Boundary
- Water



Data Sources:
 U.S. Department of Commerce, Bureau of the Census
 Missouri Department of Economic Development
 Missouri Department of Transportation
 United States Geological Survey

Produced by:
 The Geographic Resources Center,
 Department of Geography,
 University of Missouri



14 Mar 2012

