

**UPPER MOUNT BETHEL TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE TOWNSHIP OF UPPER MOUNT BETHEL, NORTHAMPTON COUNTY, PENNSYLVANIA, TO ESTABLISH AN AREA WITHIN SAID TOWNSHIP AS A NEIGHBORHOOD IMPROVEMENT DISTRICT UNDER THE PROVISIONS OF THE NEIGHBORHOOD IMPROVEMENT DISTRICT ACT, ACT 130 OF 2000, P.L. 949, NO. 130, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “RIVER POINTE NEIGHBORHOOD IMPROVEMENT DISTRICT.”

WHEREAS, the General Assembly of Pennsylvania (the “**General Assembly**”) recognized that the tax revenues derived in many municipalities are not sufficient to provide adequate municipal services or additional services needed in specific geographic areas within the municipality;

WHEREAS, in order to address the potential lack of municipality funding, the General Assembly passed Act 130 of 2000, P.L., No. 130, known as the Neighborhood Improvement District Act (“**Act**”), to encourage, promote, and enhance more attractive and safer commercial, industrial, residential and mixed-use neighborhoods; economic growth; increased employment opportunities; and improved commercial, industrial, business districts and business climates through an assessment-based program within designated Neighborhood Improvement Districts (a “**NID**”);

WHEREAS, in pursuit of the Act, the General Assembly confers powers and duties, among other things, onto municipal corporations to establish within the municipality an area or areas as a NID and establish an authority or non-profit corporation to serve as the Neighborhood Improvement District Management Association (the “**NIDMA**”) to administer the NID;

WHEREAS, Upper Mount Bethel Township, Northampton County, Pennsylvania (the “**Township**”), constitutes a municipal corporation under the Act;

WHEREAS, a final River Pointe Neighborhood Improvement District Plan (the “**NID Plan**”) for a proposed NID to be known as the River Pointe Neighborhood Improvement District (the “**RP-NID**”) and located within the Township was developed in such form and containing such information as required by Section 5(c) of the Act.

WHEREAS, the Board of Supervisors of the Township, following distribution to all affected property owners (the “**Affected Owners**”) within the proposed RP-NID of the NID Plan together with the date, location, and time of a public hearing, and after notice of public hearing duly advertised as required by the Act, conducted a public hearing concerning the NID Plan for the purpose of receiving comment from all Affected Owners within the RP-NID;

WHEREAS, the Affected Owners expressed no objection to the provisions of the NID Plan;

WHEREAS, the Board of Supervisors has determined to designate the **River Pointe Neighborhood Improvement District Management Association** to serve as the NIDMA for the NID, as proposed under the NID Plan; and

WHEREAS, the Board of Supervisors intends to authorize all further actions that may be necessary or appropriate to carry out the intent and purposes of this Ordinance No. 2022-01, all in keeping with the provision of the Act and in accordance with the NID Plan.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by Upper Mount Bethel Township, Northampton County, Pennsylvania, in accordance with the Act, as follows:

Article I. Designation of Neighborhood Improvement District.

The Board of Supervisors hereby approves the NID Plan, attached hereto as Exhibit A, and hereby designates the area or areas identified in the NID Plan as the RP-NID. The name of RP-NID shall be the “River Pointe Neighborhood Improvement District.”

Article II. Management.

The Board of Supervisors hereby designates the **River Pointe Neighborhood Improvement District Management Association** as the NIDMA to administer programs, improvements, and services within the RP-NID in accordance with the act and with duties and responsibilities to be set forth in the Cooperation Agreement containing terms and provisions satisfactory to the Township and the NIDMA.

Article III. Sunset Provision.

The Board of Supervisors hereby designates the initial term of the RP-NID to expire on December 31, 2032, subject to the provisions set forth in Section XII of the NID Plan.

Article IV. Assessments.

The Board of Supervisors, pursuant to Section 7 of the Act, hereby authorizes the imposition of assessments on real property located within the RP-NID in accordance with Section VIII (Revenue Sources & Method of Assessments) set forth in the NID Plan, which includes the Annual Assessment, Special Construction Assessment, and Development Plan Assessment, such Section VIII being in compliance with Section 7 of the Act, and as such, is hereby approved.

Article V. Further Actions.

The Board of Supervisors hereby is authorized to take such further actions as are necessary or desirable to carry out the intent and purposes of this Ordinance No. 2022-01, including but not

limited to, the execution of an agreement with the NIDMA as required by the Act and as provided for within the NID Plan, and the Chairman and Secretary of the Board of Supervisors hereby are authorized to execute such agreement as well as any other agreements consistent with the Act and the NID Plan that the Township will need to enter into in furtherance of this Ordinance No 2022-01.

Article VI. Effective Date.

This Ordinance shall take effect in accordance with applicable law.

DULY ENACTED AND ORDAINED this ____ day of _____, 2022, by the Board of Supervisors of Upper Mount Bethel Township, Northampton County, Pennsylvania, in lawful session duly assembled.

ATTEST:

By: _____
Name: David Due, Secretary

BOARD OF SUPERVISORS
UPPER MOUNT BETHEL TOWNSHIP
Northampton County, Pennsylvania

By: _____
Name: Martin Pinter
Its: Chairman