

APPROVED

First Reading: 07/11/07

Amended: 07/25/07

First Reading: 07/25/07

Passed 8-0: 08/08/07

**COUNTY OF LEHIGH, PENNSYLVANIA
COMMISSIONERS BILL 2007-78
SPONSORED BY COMMISSIONERS McCARTHY & DERR
REQUESTED DATE: JULY 2, 2007
ORDINANCE NO. 2007-182**

**APPROVING AN AMENDMENT TO THE LEHIGH COUNTY
AFFORDABLE HOUSING ORDINANCE**

WHEREAS, by Ordinance 1996-120, the Lehigh County Commissioners passed the Lehigh County Affordable Housing Fund Ordinance, pursuant to the Optional County Affordable Housing Funds Act of 1992, 53 Pa.C.S. §§6001-6013; and

WHEREAS, the County, through its Department of Community and Economic Development, has established the goals of the Affordable Housing Program, and desires to focus on increasing home ownership, improving housing conditions and housing stock for home owners and renters, increasing the availability of affordable housing through development and preservation and establishing new partnerships; and

WHEREAS, the Department of Community and Economic Development wishes to create a formal housing advisory committee, consisting of individuals with expertise in regional housing programs, finance, administration, government and planning; and

WHEREAS, the Department of Community and Economic Development has recommended that the examples of affordable housing efforts in the Affordable Housing Ordinance be expanded; and

WHEREAS, ordinance approval is required to amend a previously adopted ordinance.

**NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED BY
THE BOARD OF COMMISSIONERS OF THE COUNTY OF LEHIGH,
PENNSYLVANIA, THAT:**

1. The Lehigh County Affordable Housing Ordinance is amended as follows

(deletions are bracketed, additions are underlined and bolded):

1. Short Title: This Ordinance shall be known and may be cited as the LEHIGH COUNTY AFFORDABLE HOUSING FUND ORDINANCE.

2. Purpose: The County Commissioners of Lehigh County intend to raise revenue to enable County residents to purchase or rent quality residential housing.

3. Definitions: The following words and phrases when used in this ordinance shall have the meaning given to them in this section unless the context clearly indicates otherwise:

- (a). "Affordable housing effort" – Any program or project duly approved by the County which increases the availability of quality housing, either sales or rental, to any Lehigh County resident whose annual income is less than the Lehigh County median income.

- (b). "County" – The County of Lehigh.

4. Fee Increases: The fees charged by the Recorder of Deeds for recording deeds and mortgages under the Act of April 8, 1982 (P.L. 310, No. 87), referred to as the Recorder of Deeds Fee Law, shall be increased (exclusive of the state writ tax of fifty-cents (.50) and certification fee of one dollar and fifty cents (\$1.50)) as follows:

(a). Deeds from Eleven Dollars and Fifty Cents (\$11.50) each to Twenty-Three Dollars (\$23.00) each.

(b). Mortgages from Eleven Dollars and Fifty Cents (\$11.50) each to Twenty-Three Dollars (\$23.00) each.

(c). Each additional description contained in deeds or mortgages from Fifty Cents (\$.50) to One Dollar (\$1.00).

5. Disposition of Proceeds: All additional moneys raised for the recording of each deed and mortgage as provided in Section 4 above, shall be deposited in the general fund of the County and shall be allocated as follows:

(a). A minimum of eighty-five (85%) percent of the additional moneys shall be set aside in a separate account to be used to fund affordable housing efforts in the County;

(b). The remainder of the additional fees may be used by the County for administrative costs associated with the affordable housing efforts.

6. Affordable Housing Effort: Affordable housing efforts may include, but shall not be limited to:

(a). Providing local matching funds to secure National Affordable Housing Act of 1990 HOME funds;

(b). Assisting or supporting housing efforts, by the Pennsylvania Housing Finance Agency and by commercial and thrift institutions;

(c). Supporting second soft mortgage programs.

(d.) Providing funds for the development of affordable housing units or programs through a Request for Proposal (RFP) process;

(e). Providing grants and disbursing funds for homeowner and housing programs that increase the

availability of quality housing. Over each five year period, twenty percent (20%) of the moneys set aside for affordable housing efforts shall be directed to non-profits to be used for individual homeowner housing projects, including soft second loan programs for individual homeowners.

(f). Supporting employee assistance housing programs.

7. [The Lehigh County Department of Planning with the assistance of the Lehigh-Northampton Joint Planning Commission, is hereby authorized to administer the disbursement of the moneys to eligible housing and redevelopment authorities in Lehigh County.] The Lehigh County Department of Community and Economic Development shall create and work with a formal housing advisory committee which shall consist of not less than thirteen (13) people with expertise in regional housing programs, finance, administration, county government and planning. This advisory committee will meet no more than quarterly to review proposals and make recommendations to the County. Any member of the advisory committee eligible to receive funding will not be entitled to vote on funding recommendations. The housing advisory committee shall include two members of the Lehigh County Board of Commissioners: the Chair of the Board's Development Committee and a member of the Board selected by the Board.

8. Disbursement of Affordable Housing Funds

a. The Lehigh County Department of Community and Economic Development, with the assistance of the Housing Advisory Committee, is hereby authorized to administer and disburse the affordable housing moneys in accordance with this Ordinance.

b. For any month in which there has been disbursal activity, the Department of Community and Economic Development shall provide a monthly disbursal report regarding affordable housing funds to the Board of Commissioners.

c. Ordinance approval by the Board of Commissioners is required to disburse funds for any program or project involving more than three (3) housing units.

2. The proper officers and other personnel of Lehigh County are hereby authorized and empowered to take all such further action and execute additional documents as they may deem appropriate to carry out the purpose of this Ordinance.

3. The County Executive shall distribute copies of this Ordinance to the proper offices and other personnel of Lehigh County whose further action is required to achieve the purpose of this Ordinance.

4. Any Ordinance or part of any Ordinance conflicting with the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

5. Effective Date Subparagraph 6(e) of the Affordable Housing Ordinance shall take effect January 1, 2008. The remainder of this Ordinance shall become effective in ten (10) days after passage.

ADOPTED this 8th day of August, 2007; by the following vote:

	<u>AYE</u>	<u>NAY</u>
Kurt J. Derr	X	
Percy H. Dougherty	X	
Glenn Eckhart	X	
Joan L. Fredericks	X	
Marc J. Grammes	X	
James L. Kelly	X	
Daniel K. McCarthy	X	
Sterling H. Raber	X	
Andy Roman (absent)		

ATTEST: Deirdre Bevilacqua
CLERK TO THE BOARD OF COMMISSIONERS


APPROVED this 13th day of August, 2007.

Donald T. Cunningham, Jr.
Donald T. Cunningham, Jr.
Lehigh County Executive

ENACTED this 13th day of August, 2007.

CERTIFICATION

I, DAVID BARILLA, Clerk to the Board of Commissioners of Lehigh County, do hereby certify that the attached is a true and correct copy of the ordinance adopted at a regular meeting of the Commissioners of Lehigh County held on the **8th** day of **August, 2007**, and approved on the **13th** day of **August, 2007** by the Lehigh County Executive, and effective on the **23rd** day of **August, 2007**.



David Barilla

DAVID BARILLA, Clerk
Board of Commissioners