

**COUNTY OF LEHIGH, PENNSYLVANIA
COMMISSIONERS BILL 2013-05
SPONSORED BY COMMISSIONER CREIGHTON
REQUESTED DATE: JANUARY 16, 2013
ORDINANCE NO. 2013-**

**REPEALING THE LEHIGH COUNTY AFFORDABLE HOUSING FUND
ORDINANCE**

WHEREAS, by Ordinance No. 1996-120 the County of Lehigh (“County”) enacted the Lehigh County Affordable Housing Fund Ordinance, as authorized pursuant to Pennsylvania’s Optional County Affordable Housing Funds Act of 1992, 53 Pa.C.S. §§6001-6023; and

WHEREAS, to raise revenue to fund the County’s affordable housing efforts, the Affordable Housing Fund Ordinance added a fee to be charged for the recording of deeds and mortgages, and allocated those additional revenues for affordable housing efforts and administrative costs associated with those efforts; and

WHEREAS, by Ordinance No. 2007-182 the County of Lehigh amended its Affordable Housing Fund Ordinance to establish a procedure for distribution of the funds and to identify additional efforts eligible for funding from the County’s affordable housing program; and

WHEREAS, the Board of Commissioners wishes to eliminate these additional recording fees and reduce the costs associated with recording deeds and mortgages; and

WHEREAS, pursuant to section 310(a)(8) of the Home Rule Charter, ordinance action is required to repeal an ordinance previously adopted.

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

1. The foregoing Whereas clauses are incorporated herein as if set forth in their entirety.

2. The Lehigh County Affordable Housing Fund Ordinance, enacted as Ordinance No. 1996-120 and amended by Ordinance No. 2007-182, is hereby repealed, and the fees imposed by that Ordinance are rescinded. The recording fees charged by the Recorder of Deeds division of the Clerk of Judicial Records shall be reduced as follows:

- a. Deeds by Eleven Dollars and Fifty Cents (\$11.50);
- b. Mortgages by Eleven Dollars and Fifty Cents (\$11.50); and
- c. Each additional description contained in deeds or mortgages by Fifty Cents (\$.50).

3. Any funds remaining from the revenue generated by the repealed ordinance shall be disbursed by the Lehigh County Department of Community and Economic Development (DCED) in accordance with the purposes set forth in the Optional County Affordable Housing Funds Act of 1992, 53 Pa.C.S.A. §6013 and following the process set forth in the Lehigh County grants policy.

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

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

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

7. This Ordinance shall become effective on May 1, 2013.

ADOPTED this ____ day of _____, 2013, by the

following vote:

Commissioners

AYE

NAY

Thomas C. Creighton, III
Percy H. Dougherty
David S. Jones, Sr.
Daniel K. McCarthy
Vic Mazziotti
Brad Osborne
Scott Ott
Lisa Scheller
Michael P. Schware

ATTEST:

CLERK TO THE BOARD OF COMMISSIONERS

APPROVED this ____ day of _____, 2013.

William H. Hansell
Lehigh County Executive

ENACTED this ____ day of _____, 2013.