

ARTICLE G
Redevelopment of Existing Vacant Commercial Buildings 25,000 Square Feet or Greater Incentive Program

Sec. 1-5-101 Applicability.

This incentive program applies to any person, firm or corporation redeveloping and fully occupying an existing vacant commercial building or storefront 25,000 square feet and greater in the city limits of Conway. A vacant building shall be defined as any building or storefront which has been vacant for a period exceeding six (6) continuous months. It is the responsibility of the person, firm or corporation applying for the incentive to show that the vacancy requirement has been met. In order to be eligible for this program, the building and lot must meet all applicable current Conway Zoning Ordinance. All eligibility is subject to review and approval by city council. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-102 Incentives.

City council, at its discretion, and on a case-by-case basis, may enter into an agreement to reimburse any person firm, or corporation any or all or any portion of the following fees:

1. The applicable water and sewer capital recovery fees up to one-half (½) of the total required fee paid.
2. The required building permit fee paid.
3. The business license fees collected by the City of Conway for as many as five (5) years.
4. The hospitality fees collected by the City of Conway for as many as five (5) years.
5. The property taxes collected by the City of Conway for as many as five (5) years. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-103 Reimbursement.

City council shall set a reimbursement cap for any and all reimbursements on a case-by-case basis. All reimbursements for any calendar year shall be applied for in writing between January 1 and January 31 of the following year. Failure to apply for reimbursement by the January 31 deadline shall result in forfeiture of reimbursements for that year as outlined in the agreement. The city shall pay all qualified reimbursement requests within 60 days of receipt. Reimbursements shall be made only to the person, firm or corporation who is a party to the agreement and only to the person, firm, or corporation who paid the applicable fee. No partial reimbursements will be made. The business in the subject building or storefront must be actively operating to receive reimbursement under this article. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-104 Agreement required.

No reimbursement shall be made without an agreement signed by the interested person, firm or corporation and Conway City Council prepared in accordance with the terms outlined in this article. A signed agreement must

be in place prior to the issuance of a business license or building permit. No agreements may be applied retroactively. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-105 Transferability.

No reimbursement agreements entered into under this article are transferrable to any other person, firm or corporation. If a business is established and an agreement signed in accordance with this ordinance and the subject business closes, the agreement becomes null and void. The city shall not pay further reimbursements once the subject business has ceased to operate for a period exceeding 30 days. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-106 Severability.

The reimbursement of fees program and any participants in the program provided for herein shall be fully subject to the impact of any changes in the tax laws of the City of Conway which may be imposed by the State of South Carolina or the United States. If any provisions of this article are deemed unenforceable or invalid, the remainder of the provisions herein shall remain in full force and effect. Conway City Council hereby declares that it would have adopted this article and each section, subsection, sentence, clause and provision herein without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be enforceable or invalid. (Ord. No. 2008-12-08(D), 12/8/08)

Sec. 1-5-107 Conflict.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give the provisions of this article full force and effect. (Ord. No. 2008-12-08(D), 12/8/08)

