

Chapter 82 – Eligible Enhanced Enterprise Zone

82.010. Section 1: An enhanced business enterprise will be eligible for the tax abatements provided in Section 2 of this Ordinance, if the business enterprise meets the criteria established in RSMo. §§ 135.950 through 135.973, and:

A. The enhanced business enterprise locates, makes improvements, or expands, within the geographic boundaries of the Lincoln County Enhanced Enterprise Zone, as designated by the State of Missouri (hereinafter referred to as the “Zone”), after the date of such designation; and:

1. The business’ activities within the Zone are properly categorized in one of the following qualifying industries defined in the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget (“NAICS”). Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems:

- 11 Agriculture, Forestry, Fishing and Hunting
- 21 Mining
- 22 Utilities
- 23 Construction
- 31-33 Manufacturing
- 42 Wholesale
- 48-49 Transportation and Warehousing
- 51 Information
- 52 Finance and Insurance
- 53 Real Estate, Rental, and Leasing
- 54 Professional, Scientific and Technical Services
- 55 Management of Companies and Enterprises
- 56 Administrative and support and Waste Management and Remediation Services
- 62 Health Care and Social Assistance
- 71 Arts, Entertainment and Recreation, excluding 7132 - gaming operations
- 81 Other services, excluding 8131 - religious institutions, or

2. The business’ activities within the Zone produce value-added agricultural products as defined in RSMo. § 348.015 (14).

3. Headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. Services industries may be eligible only if a majority of its annual revenues will be derived from out of state.

Section 2: Any enhanced business enterprise satisfying the requirements of Section 1 of this Ordinance will receive a tax abatement in accordance to the New Business or Existing Business Benefit Level Options chart. The tax abatement will be on the new improvements that the enhanced business enterprise makes to its real property within the Zone subsequent to April 12, 2010. The tax abatement shall be limited to ten (10) years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises in the year the abatement is to be made. “Real property” as used in this Section shall have the same definition as found in RSMo. § 137.010.

NEW BUSINESS BENEFIT LEVEL OPTIONS	
QUALIFICATION REQUIREMENTS	ABATEMENT LEVEL/TERM
Minimum Requirements -As determined by DED: 2 new FT employees -\$100,000 (minimum) capital investment Health Insurance at all times, of which 50% is paid by employer	50% abatement / 10years
ADDITIONAL ABATEMENT INCREMENT BENEFITS (Payroll Average must be 70% of County Average)	
New Jobs	
50+ NEW FT employees	10 points
100+ NEW FT employees	20 points
250+ NEW FT employees	35 points
Average Payroll	
Average new payroll at 110% of County average	10 points
Average new payroll at 120% of County average	20 points
Average new payroll at 130% of County average	35 points
Investment	
Capital investment exceeding \$10 million	10 points
Capital investment exceeding \$25 million	20 points
Capital investment exceeding \$50 million	30 points
Capital investment exceeding \$75 million	40 points

Maximum of 100 points

100 points = 100% for 10 years

80 to 95 points = 85% for 10 years

50 to 75 points = 75% for 10 years

Below 50 points = Minimum abatement level and term

EXISTING BUSINESS BENEFIT LEVEL OPTIONS	
QUALIFICATION REQUIREMENTS	ABATEMENT LEVEL / TERM
Minimum Requirements -As determined by DED: 2 new FT employees -\$100,000 (minimum) capital investment Replacement Facility -2 new FT employees and \$1,000,000 (minimum) capital investment Health Insurance at all times, of which 50% is paid by employer	50% abatement / 10 years
ADDITIONAL ABATEMENT INCREMENT BENEFITS (Payroll Average must be 70% of County Average)	
New Jobs	
10+ NEW FT employees	5 points
15+ NEW FT employees	10 points
25+ NEW FT employees	20 points
50+ NEW FT employees	25 points
75+ NEW FT employees	40 points
150+ NEW FT employees	60 points
Average Payroll	
Average new payroll at 110% of County average	30 points
Average new payroll at 120% of County average	40 points
Average new payroll at 130% of County average	60 points
Investment	
Capital investment exceeding \$5 million	10 points
Capital investment exceeding \$10 million	25 points
Capital investment exceeding \$25 million	30 points
Capital investment exceeding \$50 million	40 points
Capital investment exceeding \$75 million	60 points

Maximum of 100 points

85 to 100 points = 100% for 10 years

65 to 80 points = 85% for 10 years

50 to 60 points = 75% for 10 years

Below 50 points = Minimum abatement level and term

Section 3: Notwithstanding any provision of Section 2 to the contrary, no tax abatement shall be granted for a period more than twenty-five years following the date on which the original Lincoln County Enhanced Enterprise Zone was designated by the Missouri Department of Economic Development.

Section 4: Unless otherwise noted, the terms in Sections 1, 2, and 3 of this Ordinance shall have the same meanings as stated in RSMo. § 135.950.

Section 5: Severability. The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision

that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

Section 6: Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 7: Effective upon Passage. This ordinance shall be in full force and effect from and after the date of its passage.

Adopted by Ordinance #520, 6/08/09. Amended: Ordinance #523, 8/10/09. Ordinance #549, 4/13/10.