

**CITY OF OAK GROVE KENTUCKY  
ORDINANCE 2023-XX**

**AN ORDINANCE BY THE CITY OF OAK GROVE, KENTUCKY  
ESTABLISHING INCENTIVES FOR ECONOMIC DEVELOPMENT.**

**WHEREAS**, The Oak Grove City Council wishes to establish incentives for new and existing businesses within the City of Oak Grove, Kentucky; and

**WHEREAS**, The Oak Grove City Council has made economic development a top priority of the city; and

**WHEREAS**, The Oak Grove City Council agrees that success in economic development is vital to the city's financial ability to provide services and to improve the quality of life for its residents and business owners; and

**NOW, THEREFORE, BE IT ORDAINED BY THE OAK GROVE CITY COUNCIL THAT  
ORDINANCE NO. 2023-XX IS HEREBY ADOPTED AS FOLLOWS:**

**SECTION ONE-DEFINITIONS**

1. *"City"* shall mean the City of Oak Grove, Kentucky.
2. *"Qualifying Business"* shall mean any corporation, limited liability company, partnership, limited partnership, sole proprietorship, business trust, or any other legal entity in the city whose employees are engaged in manufacturing, services, tourism, technology, administrative, technical, retail, or professional occupations.
3. *"Incentives"* shall mean an array of benefits designed to promote new business activity or encourage business or job retention.

**SECTION TWO-INCENTIVES FOR NEW AND EXISTING BUSINESSES**

1. Water access fees may be waived at The City of Oak Grove's discretion for business development/inducement or charitable purposes.
2. The City of Oak Grove will provide a waiver of Building Permit Fees of up to 50% fee reduction for a business that consists of 1-50 full-time employees.
3. The City of Oak Grove will provide a waiver of Building Permit Fees of up to 75% fee reduction for a business that consists of 51 or more full-time employees.

4. Additional incentives may be granted with the approval by The Oak Grove City Council on a case-by-case basis.

### **SECTION THREE-APPLICATION AND REVIEW PROCEDURES**

A qualifying business seeking one or more economic development incentives from the city must submit to the Public Works Department the following information:

1. Description of the project
2. Name, address, and telephone number of authorized representatives
3. The number of new jobs to be created
4. The wages, salaries, bonuses, and commissions expected to be paid and the amount of City of Oak Grove employee withholdings expected to be generated by the project
5. Description of entity's management capabilities
6. Marketing strategies
7. Any other financial and non-financial information about the entity deemed necessary by the City of Oak Grove

### **SECTION FOUR-AGREEMENT REQUIREMENTS**

All qualifying businesses receiving an incentive from the City of Oak Grove must establish a written agreement with the City of Oak Grove during each incentive phase. The mayor shall execute the written agreement on behalf of the city. If a business fails to maintain an agreement with the City of Oak Grove at any time during the phrase, the business shall forfeit the right to continue receiving the incentive unless otherwise established by The Oak Grove City Council.

### **SECTION FIVE-DEFAULT**

If a qualifying business makes any material misrepresentation on its economic development incentive application or supporting documents, fails to meet the obligations set out in its written economic development incentive agreement, becomes insolvent, fails to report or to remit employee withholdings from new or existing jobs, files bankruptcy or fails to pay any tax, license fee, penalty, or other charge or obligation to the city, shall be in default.

### **SECTION SIX-REMEDIES**

If the qualifying business becomes default, then the qualifying business shall refund to the city an amount equal to the total economic development incentives rebated or paid, and the city shall have no further obligation to provide any economic development incentives. The city may use any efforts to collect such sums owed, and

the qualifying business agrees to pay all interest and expenses, including attorney fees and costs incurred by the city.

**SECTION SEVEN-SEVERABILITY CLAUSE**

It is the legislative body's intent that the provisions of this ordinance are to be severable, and that if a part of this ordinance is deemed invalid, unconstitutional, or void, the findings shall not invalidate the remaining provisions of this ordinance.

**SECTION EIGHT-EFFECTIVE DATE**

This ordinance shall take effect after its passage and publication according to law.

**PUBLICLY READ THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023.**

**PUBLICLY READ THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Jacqueline Oliver, Mayor  
City of Oak Grove, Kentucky

\_\_\_\_\_  
Lorelynn Fisher, City Clerk  
City of Oak Grove, Kentucky

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