

**CITY OF OAK GROVE KENTUCKY  
ORDINANCE 2024-03**

**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. 2024-03 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 following job creation-based economic development incentives may be offered by the city to a qualifying business undertaking an economic development project:

(A) 1-50 new                      2/3 rebate of the payroll tax due from the new

- |     |                            |   |
|-----|----------------------------|---|
|     | employees:                 | employees for three (3) years; and 50% rebate of the business license tax due for two (2) years.  |
| (B) | 51-100 new employees:      | 2/3 rebate of the payroll tax due from the new employees for five (5) years; and 50% rebate of the business license tax due for four (4) years.   |
| (C) | 101 or more new employees: | 3/4 rebate of the payroll tax due from the new employees for eight (8) years; and 50% rebate of the business license tax due for eight (8) years. |

3. The city may award 4 grants per year at \$3,500 each to existing businesses. These grants will be used for upgrading, remodeling, and/or any other improvements approved by the city council.

4. Additional incentives may be granted with the approval of 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 the 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.

Date of First Reading of Ordinance: March 19, 2024

Date of Second Reading of Ordinance: April 9, 2024

Date of Publication of Ordinance: April 25, 2024

Ordinance published in: Kentucky New Era

  
Jacqueline Oliver, Mayor

ATTEST:



Lorelynn Fisher, City Clerk

*This advertisement was paid for by the City of Oak Grove using taxpayers' dollars in the amount of \$347.88.*

**Certification**

I, Lorelynn Fisher, do hereby certify that I am the duly appointed clerk of the City of Oak Grove, Kentucky, and that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on April 9, 2024, that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this 8 day of May 2024.



Lorelynn Fisher, City Clerk

State of KENTUCKY

County of CHRISTIAN

The foregoing instrument was acknowledged before me 8<sup>TH</sup> day of MAY, 2024

Princilla Spencer  
Your Name Here, Notary Public

My Commission Expires JUNE 24, 2025



# Affidavit of Publication

STATE OF KY }  
COUNTY OF CHRISTIAN } SS

CITY OF OAK GROVE KENTUCKY  
ORDINANCE 2024-03

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

Keishia Hicks, being duly sworn, says:

That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

April 25, 2024

Publisher's Fee: \$ 347.88

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

*Keishia Hicks*

Subscribed to and sworn to me this 25th day of April 2024.

*[Signature]*



00007747 70943821

LORELYNN FISHER  
City of Oak Grove  
8505 Pembroke Oak Grove Rd  
Oak Grove, KY 42262

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