



Enhanced Enterprise Zone Program Statutory Requirements for Designation

Zone Name:	
Please Type or Print Clearly	
Governing Authority / Lead Applicant:	Date:
Chief Administrator (of the Lead Applicant):	Phone:
Contact Person (for the proposed zone):	Phone:
Address:	Website:
City / Zip Code:	E-mail Address:
<input type="checkbox"/> Joint Application (county & each municipality must pass the same ordinance blight & abatement)	

Enhanced Enterprise Zone Boundaries -- U.S. Census Block Groups
Attachment(s):
<input type="checkbox"/> Attach the Department of Economic Development (DED) produced run or equitable mapping and source documentation from the 2010 U.S. Census information with a map of the proposed zone.

Public Hearing Results (Section 135.960 RSMo)
<input type="checkbox"/> Submit copies of the public notice for the hearing and certified mailings notifying taxing entities of the desire to designate an EEZ.

<input type="checkbox"/> Resolution / Ordinance declaring the area as blighted (Section 135.953 RSMo)
135.950(2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

Ordinance establishing the Seven (7) member Enhanced Enterprise Zone Board (135.957 RSMo)

	Name	Affiliation	Term Expires
1. Member			
2. Member			
3. Member			
4. Member			
5. Member			
6. School District Representative			
7. Taxing Entities Representative			

Note: Section 135.957.1, RSMo requires that one board member be **elected** by the school district or districts located within the proposed zone, and one member be **elected** by the other affected taxing districts located within the proposed area. The chief elected official of the lead county or municipality shall **appoint** the remaining five members.

Statutory Role of the seven-member board shall include (at a minimum):

- A. Advise the local governing authority on the designation of the enhanced enterprise zone and any other advisory duties as determined by the governing authority (Section 135.957.5, RSMo)..
- B. Once the designation of the zone has been completed, the board shall be responsible for review and assessment of zone activities (Section 135.957.5, RSMo). .
- C. Submitting an annual report to the Director of the Department of Economic Development regarding the status of the zone and business activity (Section 135.960.4, RSMo).

Statute Governing the Advisory Board

135.957. 1. A governing authority planning to seek designation of an enhanced enterprise zone shall establish an enhanced enterprise zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation as an enhanced enterprise zone. One member of the board shall be appointed by other affected taxing districts. The remaining five members shall be chosen by the chief elected official of the county or municipality.

2. **The school district member and the affected taxing district member shall each have initial terms of five years. Of the five members appointed by the chief elected official, two shall have initial terms of four years, two shall have initial terms of three years, and one shall have an initial term of two years. Thereafter, members shall serve terms of five years.** Each commissioner shall hold office until a successor has been appointed. All vacancies shall be filled in the same manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

3. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

4. The members of the board annually shall elect a chair from among the members.

5. The role of the board shall be to conduct the activities necessary to advise the governing authority on the designation of an enhanced enterprise zone and any other advisory duties as determined by the governing authority. The role of the board after the designation of an enhanced enterprise zone shall be review and assessment of zone activities as it relates to the annual reports as set forth in section 135.960.

Ordinance granting the Abatement Authority

- Minimum is 50% on improvements to real property for 10 years
- List of Eligible Business

- Consider including:

1. Administrative Policies (e.g. application submissions, deadlines)
2. Tiered Abatement Options over the minimum statutory requirements
3. Claw-backs
4. Make it Discretionary (must be specified in Ordinance)
5. Assign on signatory by Job Title to award abatement (e.g. Dir. of County Economic Dev.)
6. Procedure to notify the County Assessor

- Business NOT Eligible for EEZ

1. Gambling establishments (NAICS 7132)
2. Store front consumer-based retail trade (NAICS 44 and 45)
3. Food and drinking places (NAICS 722)
4. Public utilities (NAICS 221 including water and sewer services)
5. Educational services (NAICS 61)
6. Religious organizations (NAICS 8131)
7. Public administration (NAICS 92)

Ordinance Designating the area as an Enhanced Enterprise Zone

- Ordinance needs to include:

1. A plan to provide adequate police protection within the area
2. A specific and practical process for individual businesses to obtain waivers from burdensome local regulations, ordinances and orders which serve to discourage economic development without endangering the health or safety of the employees.
3. Describe any other specific actions will be taken to support and encourage private investment within the proposed zone.
4. A plan to ensure that resources are available to assist area residents to participate in increased development through self-help efforts and in ameliorating any negative effects of designation of the area as an enhanced enterprise zone.
5. A statement describing the projected positive and negative effects of designation of the area as an enhanced enterprise zone
6. A specific plan to provide assistance to any person or business dislocated as a result of activities within the enhanced enterprise zone. Such plan shall determine the need of dislocated persons for relocation assistance; provide, prior to displacement, information about the type, location and price of comparable housing or commercial property; provide information concerning state and federal programs for relocation assistance and provide other advisory services to displaced persons. Public agencies may choose to provide assistance under the Uniform Relocation and Real Property Acquisition Act, 42 U.S.C. 4601, et seq., to meet the requirements of this subdivision.
7. A description or plan that demonstrates by the governing authority to have either:
 - a. The potential to create sustainable jobs in a targeted industry; or
 - b. A demonstrated impact on local industry cluster development.

Signature of Lead Governing Authority designating the Enhanced Enterprise Zone		
Print	Or	Print
Sign		Sign
Mayor		Presiding Commissioner
	Or	
Community		County

Send this document with copies of the required ordinances to:

**The Department of Economic Development
 Division of Business and Community Solutions
 Business Finance Team
 301 W. High Street, Room 720
 PO Box 118
 Jefferson City, Missouri 65102**

Enhanced Enterprise Zone Statutory Requirements

EEZ Boundaries – U.S. Census Block Groups: The Department of Economic Development (DED) utilizes data from the 2010 U.S. Census Survey and American Community Survey Data, along with annual unemployment figures from the Bureau of Labor Statistics, to determine whether the block groups within a proposed zone have sufficient population, poverty, and unemployment levels to qualify as an EEZ, pursuant to Section 135.953, RSMo. **Contact the DED representative for a qualifying run.**

Ordinance declaring the area as blighted: To qualify as an Enhanced Enterprise Zone (EEZ), an area must be blighted and have pervasive poverty, high unemployment and general distress, as those terms are defined in Section 135.953, RSMo. You may pass an ordinance declaring the area to be blighted.

Public Hearing: Section 135.960, RSMo requires EEZ applicants to hold a public hearing for the purpose of obtaining the opinion and suggestions of persons who will be affected by the EEZ designation.

Ordinance establishing the Enhanced Enterprise Zone Advisory Board: Section 135.957, RSMo requires EEZ applicants to establish, by resolution or ordinance, a seven-member Enhanced Enterprise Zone Advisory Board (the “Board”) to advise the EEZ’s governing authorities during EEZ designation and to review and assess zone activities.

Ordinance to grant the Abatement Authority - Minimum requirement of 50% for 10 years on improvements to real property and a list of eligible business by NAICS.

Ordinance to designate the EEZ – Be sure to include the required information as stated above.