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## **Entertainment District Designation**

### **Sec. 32-76-1. Definitions**

As used in sections 32-76-1 to 32-76-7, inclusive, of these regulations:

(1) “Applicant” means a company which completes a preliminary questionnaire and an application for certification of eligibility;

(2) “Certificate of Eligibility” means a document issued by the department pursuant to section 32-9r of the Connecticut General Statutes as they may be amended from time to time evidencing its determination that a facility for which an application for assistance has been submitted qualifies as a manufacturing facility and is eligible for assistance under section 12-217e of the Connecticut General Statutes as they may be amended from time to time and subsections (59) and (60) of section 12-81 of the Connecticut General Statutes as they may be amended from time to time;

(3) “Chief Executive Officer” of a municipality means one of the following: the first selectman; a chief administrative officer appointed by the board of selectmen; a mayor elected by the electors of the municipality; a warden elected by the electors of the borough; a town, city or borough manager appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses; or a chief administrative officer appointed by the mayor;

(4) “Commissioner” means the Commissioner of the Department of Economic and Community Development;

(5) “Department” means the Department of Economic and Community Development;

(6) “Manufacturing facility,” means any plant, building, or other real property improvement as defined in section 32-9p(d) of the Connecticut General Statutes as they may be amended from time to time;

(7) “Municipality” means city, town or borough;

(8) “Personal Property” means machinery, equipment and furnishings which are not considered real property and are subject to a local property tax;

(9) “Real Property Improvement” means land, buildings and other structures and improvements thereto, subterranean or subsurface right, any and all easements, air rights and franchises of any kind or nature; and

(10) “Substantial rehabilitation” means a construction or renovation project which requires a building permit and has a cost which is greater than 50% of the assessed value of the real property.

(Effective November 4, 1998)

### **Sec. 32-76-2. Eligible entertainment related industries**

The following businesses may qualify as manufacturing facilities for the purpose of receiving benefits under the Entertainment District program according to the following standard industrial classifications including but not limited to:

Manufacturing: Electrical and Electronic Equipment

3609 Stage Lighting Equipment

3620 Radio and TV Communications Equipment Manufacturing.

Manufacturing: Miscellaneous Manufacturing Industries

3908 Stage Hardware and Equipment, except Lighting Equipment.

Communications

4802 Radio Broadcasting Stations; Television Broadcasting Stations; Cable and other Pay television Services.

Wholesale Trade: Durable Goods

5043 Photographic Equipment and Supplies; Restricted to the entertainment industry.

Retail Trade: Apparel and Accessory Stores

5699 Miscellaneous Apparel and Accessory Store; Restricted to Dancewear and Theatrical Costumes for commercial use.

Finance, Insurance and Real Estate; Real estate

6512 Operators of Nonresidential Buildings; Restricted to Establishments primarily engaged in owning and operating (leasing) theater buildings to promoters or producers.

Finance, Insurance, and Real Estate: Holding and Other Investment Services

6700 Holding and other Investment Offices; restricted to Investors in the Entertainment Industry.

Services: Business Services

7313 Radio, Television and Publishers Advertising Representatives; restricted to Radio and Television Advertising Representatives.

7334 Photocopying and Duplicating Services; Restricted to Commercial Photography: Photographic Studios specializing in the Entertainment Industry.

7336 Commercial Art Graphic Design; Restricted to Graphic Arts and Related Design: Establishments primarily engaged in Film Strips and Slides; Studio and Offices of slide Producers.

Services: Motion Pictures

7812 Motion Pictures and Video Tape Production (including Services allied to Motion Picture Production)

7822 Motion Picture and Video Tape Distribution

Services: Amusement and recreation Services

7911 Dance Studios, Schools and Halls; Restricted to Professional Dance Schools, Theatrical Producers (except Motion Picture) and Miscellaneous Theatrical Services; Restricted to Studios and Offices of such Producers and Services.

7929 Bands, Orchestras, Actors, and other Entertainers and Entertainment Groups; Restricted to Rehearsal Spaces, Performance Spaces, Studios, Theaters, and Offices.

Specifically excluded are the following: Entertainment provided by or shown at a gambling or gaming facility or a facility whose primary business is the sale or serving of alcoholic beverages; retail establishments serving the general public; businesses operating within a residential zone.

Businesses not specifically listed in this section must submit a letter to the commissioner indicating how they meet the definition of an entertainment related business. (Effective November 4, 1998)

**Sec. 32-76-3. Entertainment district designation application**

The application to have an entertainment district designated shall be made on application forms provided by the commissioner and available at the department upon request. The application may require the following information:

(1) A certified copy of the ordinance designating the entertainment district, and a certified copy of the minutes of the governing body of the municipality authorizing the chief executive officer of the municipality to apply to the commissioner for approval of the district so designated, pursuant to section 32-76 of the general statutes as they may be amended from time to time;

(2) Mylar maps delineating the specific boundaries of the proposed entertainment district. The scale of the maps shall meet standards as established by the commissioner;

(3) Certification from the chief executive officer that the proposal is in conformance with the plan of development for the municipality;

(4) Information detailing the local activities and programs that will encourage development for purposes of this act;

(5) An inventory of the existing land uses in the proposed entertainment district;

(6) An administrative plan for operation of the program by the municipality;

(7) A professionally prepared market study that evaluates the effect of the proposal on the economic development of the municipality, the region and the state, taking into consideration market potential, specific development plans and private commitments to the area;

(8) The goals, objectives and timetables of the entertainment district designation including, but not limited to, increasing private investment, expanding the tax base, providing job training and job creation for residents of entertainment districts and reducing property abandonment and housing blight in entertainment districts; and

(9) A description of other factors that will contribute to the success of the development of the entertainment district.

(Effective November 4, 1998)

#### **Sec. 32-76-4. Entertainment district designation approval process**

The commissioner shall base his decision on the information contained in the application, the local capacity to effectively administer a development program in the entertainment district, the innovation of the proposed program for the entertainment district and the likelihood of success of the entertainment district program.

(Effective November 4, 1998)

#### **Sec. 32-76-5. Manufacturing facility application process**

The two-step application process for qualification as a manufacturing facility consists of a preliminary questionnaire and an application for certificate of eligibility. Application forms shall be approved by the commissioner. The information required shall include:

(1) Name, owner and location of company;

(2) Location, size and type of proposed business activity;

(3) Standard Industrial Classification number of the company;

(4) Number of jobs that will be created or retained;

(5) Owner of proposed facility;

(6) Owner of equipment (if applicable); and

(7) Other factors that the commissioner deems necessary to complete the certification process.

(Effective November 4, 1998)

#### **Sec. 32-76-6. Manufacturing facility approval process**

The Commissioner shall review the application for certificate of eligibility and shall notify the applicant, in writing, of his findings. Upon approval, certificates of

eligibility shall be issued to the owner(s) of the manufacturing facility and the owner(s) of the equipment (if applicable) and notification shall be provided to the assessor of the municipality and to the Secretary of the Office of Policy and Management and the Commissioner of the Department of Revenue Services. If the application for certificate of eligibility is disapproved, the Commissioner shall indicate the reasons for disapproval.

(Effective November 4, 1998)

**Sec. 32-76-7. Reporting procedures**

The municipality shall submit completed activity reports on or before July 1 annually to the department which shall describe the progress made towards meeting the goals and objectives described in section 32-76-3(8) and (9) of this regulation. The first reports shall be due no later than July first of the year subsequent to the receipt of the certificate of eligibility.

(Effective November 4, 1998)