COMMON COUNCIL

AGENDA
November 12, 2013
SPECIAL MEETING

Call To Order

Resolutions

Adopting Proposed Local Law No. (A) of 2013 - 421-m Property Tax Exemption

Community Development

CDBG Housing Activities Grant Application
Affordable Home Ownership Development Program Grant Application

Adjournment

RESOLUTIONS

RESOLUTION # -2013 **ADOPTING PROPOSED LOCAL LAW NO. (A) OF 2013 - 421-m PROPERTY TAX EXEMPTION**

Ald. _________ introduced the following and **moved** its adoption:

WHEREAS, the Common Council received proposed Local Law No. (A) of 2013 on July 16, 2013, regarding a 421-m property tax exemption; and

WHEREAS, a public hearing was held on August 20, 2013, in connection with said proposed local law; now, therefore be it

RESOLVED, that Local Law No. (A) of 2013, adopting 421-m property tax exemption a as presented to the Common Council on July 16, 2013, be and hereby is adopted, and is hereby designated as Local Law No. 1 of 2013.

Seconded by Ald. ____________ and duly (adopted/defeated), _______ on a roll call vote

LOCAL LAW NO. 1
OF 2013

EXEMPTION OF CERTAIN NEW OR SUBSTANTIALLY REHABILITATED MULTIPLE DWELLINGS

BE IT ENACTED by the Common Council of the City of Norwich as follows:

Section 1.

1. Basis for Exemption

Pursuant to authority granted by the Real Property Tax Law Section 421-m, an eligible multiple dwelling constructed or substantially rehabilitated in the benefit area designated pursuant to this section shall be eligible for an exemption from taxation and local ad valorem levies for the tax years commencing during the construction or rehabilitation of such structure pursuant to the following schedule. Provided however, that the amount of taxes paid during such period shall be at least the amount of the taxes paid on such land and any improvements thereon immediately preceding the commencement for the exemption. In addition, any improvements to property receiving this exemption shall not be eligible to receive any other exemption under any other section of law.

CONSTRUCTION OR SUBSTANTIAL REHABILITATION OF MULTIPLE DWELLINGS

During construction or substantial rehabilitation (maximum three years)	100%
Following completion of work year:	
1 through 12	100%
13-16	80%
15-16	60%
17-18	40%
19-20	20%

2. Definitions

When used in this local law, the following terms shall have the following meanings:

"Designated Benefit Area(s)" means the contiguous geographic properties that have been identified as by the common Council of the City of Norwich as being eligible and desirable for the creation of the benefits of the 421-m tax exemption program. Additional benefit areas may be created from time to time by amendment to this local law as the Common Council may find appropriate.

"Substantial Rehabilitation" shall mean all work necessary to bring a property into compliance with applicable laws and regulations and shall include but not be limited to the installation, replacement or repair of, heating, plumbing, electrical and related systems and the elimination of all hazardous and violations in the structure in accordance with state and local law and regulation.

"Multiple dwelling" shall mean a dwelling, other than a hotel which is to be occupied or is occupied as the residence or home of three or more families living independently from one another including dwellings rented or owned as a cooperative or a condominium

3. Eligibility

In order to grant the real property tax exemption provided under Section one, the City shall determine that:

(a) Such construction or rehabilitation of a multiple dwelling will occur on land which:
(i) is vacant, predominantly vacant, or
(ii) is improved with a non-conforming use or
(iii) contains one or more substandard or structurally unsound buildings or a building that has been certified as unsanitary by the local health agency.

(b) At least 20% of the units shall be affordable to individuals or families of low or moderate income whose incomes at the time of initial occupancy do not exceed 90% of the area median income adjusted for family size and the individual or family shall pay in rent or carrying charges no more than 30% of their adjusted gross income as reported in their federal income tax return or would be reported if such return were required, less personal exemptions and deductions and medical expenses as are actually taken by the taxpayer, as verified according to procedures established by the state division of housing and community renewal. The City shall consult annually with the division to determine that the property is in compliance with the affordability requirements of this local law. If such requirements are not met, the multiple dwelling shall not qualify for the exemption in that year.

(c) Such construction or substantial rehabilitation is carried out with the assistance of grants, loans or subsidies for the construction or substantial rehabilitation of affordable housing from any state, local, or federal agency.

(d) Such construction or substantial rehabilitation shall commence after the effective date of this section, but no later than December 15, 2015, for the North Broad Street Benefit Area and the Unguentine Building Benefit Area. Such commencement date requirement may be extended by amendment of this section to accommodate these or other benefit areas designated in the future.
(i) The North Broad Street Benefit Area shall be comprised of the properties at 33 North Broad Street (tax parcel #136.48-3-11), 37-39 North Broad Street (tax parcel #136.48-3-10), 42 North Broad Street (tax parcel #136.48-5-18), 44-46 North Broad Street (tax parcel #136.48-5-19).
(ii) The Unguentine Building Benefit Area shall be comprised of the properties at 20 American Avenue (tax parcel #136.56-4-6) and American Avenue (tax parcel #136.57-1-50.3).

(e) If such property is to be used partially as a multiple dwelling and partially for commercial or other purposes, that:
(i) the square footage of the portion of the property used as a multiple dwelling represents at least 50% of the square footage of the entire property and;
(ii) at least 20 % of the units are affordable to individuals of families of low and moderate income and;
(iii) the requirements of this section relative to a multiple dwelling are otherwise satisfied.

(f) Any property owner seeking an exemption within the designated benefit area shall file the appropriate form(s) with the City Assessors' office for review.

Section 2.

If any part of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect the validity of the reminder of this local law or the application thereof to other persons or circumstances, and the City Council of the City of Norwich hereby declares it would have passed this local law or the reminder thereof had such invalid application or invalid provision have been apparent.

Section 3.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.