

LOCAL LAW NO. _____ - 2008

OF

JUNE 16, 2008

A LOCAL LAW ADDING ARTICLE XI ENTITLED
“EXEMPTION FOR IMPROVEMENTS TO HISTORIC PROPERTIES”
TO CHAPTER 270 “TAXATION” OF THE CODE
OF THE CITY OF NEWBURGH

BE IT ENACTED by the City Council of the City of Newburgh as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law Adding Article IX entitled ‘Exemption for Improvements to Historic Properties’ to Chapter 270 of the Code of the City of Newburgh”.

SECTION 2 - PURPOSE AND INTENT

The purpose of this local law is to amend the Code of the City of Newburgh to provide a property tax incentive to encourage investment in and rehabilitation of historic properties by the City as permitted under New York State Real Property Tax Law Section 444-a.

SECTION 3 - AMENDMENT

Chapter 270 entitled “Taxation” of the Code of the City of Newburgh is hereby amended by the addition of Article IX entitled “Exemption for Improvements to Historic Properties” to read as follows:

“ARTICLE IX

Exemption for Improvements to Historic Properties”

§270-55. Legislative findings; purpose and intent.

The City Council of the City of Newburgh finds that the rehabilitation and renovation work on historic properties located in historic districts tends to be more expensive than similar work on other properties because of the nature of the work and the cost of materials that may be required. The purpose and intent of this Article is to provide a property tax incentive to encourage investment in and the rehabilitation of historic properties, and to preserve the historic character of real property located within the City of Newburgh.

§270-56. Exemption established; criteria.

A. Historic property shall be exempt from taxation to the extent of any increase in value attributable to the alteration, rehabilitation or renovation of such property according to the following schedule:

Year of Exemption	Percent of Exemption
1 through 5	100%
6	80%
7	60%
8	40%
9	20%
10	0%

B. No such exemption shall be granted for such alteration, rehabilitation or renovation unless:

1. Such property has been designated as a landmark, or is a property that contributes to the character of a designated historic district, created by local law passed pursuant to Section 96-a or Section 119-dd of the General Municipal Law.
2. Alterations, rehabilitations or renovations must be made for means of historic preservation.
3. Such alteration, rehabilitation or renovation of historic property meet guidelines and review standards in the local preservation law established in Article V, Chapter 300.
4. Such alteration, rehabilitation or renovation of historic property is approved by the Architectural Review Commission prior to commencement of work.
5. Alteration, rehabilitation or renovation is commenced subsequent to the effective date of this local law.

§270-57. Application.

This exemption shall be granted only by application of the owner or owners of such historic real property on a form prescribed by the New York State Board of Equalization and Assessment. The application shall be filed with the City Assessor on or before the City's appropriate taxable status date.

§270-58. Procedure.

This exemption shall be granted where the City's Assessor is satisfied that the applicant is entitled to an exemption pursuant to this article. The Assessor shall approve such application and such property shall thereafter be exempt from taxation and special ad valorem levies as herein provided commencing with the assessment roll prepared on the

basis for the taxable status date referred to above. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

§270-59. When Effective.

This article shall take effect immediately and shall apply to assessment rolls completed on or after such effective date.

SECTION 4 - VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

SECTION 6 - FILING

In addition to the Office of the New York State Secretary of State, copies of this Local Law shall be filed with the State Board of the Office of Real Property Services and the City of Newburgh Assessor.