

ORDINANCE #2015-___

AN ORDINANCE IN AMENDMENT TO
CHAPTER 27
OF THE ORDINANCE OF THE BRISTOL TOWN CODE

IT IS HEREBY ORDAINED by the Town Council of Bristol, Rhode Island, that Chapter 27 of the Ordinances of the Town of Bristol be amended as follows:

CHAPTER 27

TAXATION

ARTICLE I. In General

* * *

Sec. 27-5. - Tax Stabilization Incentive for Industrial, Commercial, and Manufacturing Facilities

(a) *Purpose:* For the purpose of encouraging economic growth in the Town of Bristol, the Town Council adopts the following Tax Stabilization Ordinance for new and improved commercial and manufacturing developments.

The phase-in of taxes will provide a benefit to the Town by reason of the willingness of the commercial or manufacturing business to:

- locate in town; or
- expand facilities with an increase in employment; or
- retain or expand facilities and not reduce the workforce; or
- improve facilities that will result in long-term economic benefits to the town.

(b) *Tax Schedule*

(1) The Town Council **in its sole discretion** is authorized **but not required** to phase in, over a period of up to 5 years, but not more than 10 years, the taxes due upon certain commercial and industrial properties in accordance with following schedules.

Five Year Program - Tax stabilization phase-in as follows:

Five Year Program	Percent Exempt from Taxation
Year 1	80
Year 2	60
Year 3	40
Year 4	20
Year 5	0

Ten Year Program - Tax stabilization phase- in as follows:

Ten Year Program	Percent Exempt from Taxation
Year 1	90
Year 2	80
Year 3	70
Year 4	60
Year 5	50
Year 6	40
Year 7	30
Year 8	20
Year 9	10
Year 10	0

(2) The first year of exemption shall begin on December 31 of the year following the post construction review and issuance of a certificate of occupancy.

(c) General Rules and Standards:

1. Existing buildings and/or structures and land shall be taxed at 100% of its assessed value. The incentive authorized by this section shall be available only to new buildings and structures or new additions to existing buildings or structures, with a cost of \$250,000 or greater; and, substantial improvements/rehabilitations costing more than 50% of the assessed value of the existing building or structure. Applications with a cost of \$250,000 to \$499,999 will be considered for a 5-year tax stabilization and applications with a cost of \$500,000 and higher will be considered for either a 5-year or a 10-year tax stabilization.
2. The tax stabilization phase-in shall be for business, commercial, and industrial; and, shall not be for residential uses.
3. In the case of commercial or industrial condominiums, the phase in of taxes shall occur in the following manner: 1) Phase in for the value of the building that will contain condominium units accrues to the owner of the building at the time of its final inspection; 2) Phase in for the value of each condominium unit to the owner of the condominium unit upon receipt of the certificate of occupancy. In the case of multiple buildings on one parcel, the incentive will be considered for each building as they are applied for.
4. To continue to be eligible for the phase in, the buildings or structures shall be occupied pursuant to a duly issued certificate of occupancy.
5. The property owner must be current on the property taxes for the subject property to be eligible to make an application.

(d) ~~Other~~ *Additional Conditions of Participation*

1. Tax stabilization for eligible properties shall run with the land and be transferable to new owners ~~of eligible property~~, providing that the taxes due are not delinquent. All transfers of continuing participation must register with and be approved by the Tax Assessor. Any tax stabilized property which is transferred shall not be retroactive.
2. If a property owner whose tax has been stabilized pursuant to this section becomes delinquent in payment of taxes the Town Council shall have the authority to review and terminate the tax stabilization agreement.

3. The Town Council have the authority to revoke an exemption granted hereunder prior to the expiration thereof in the event of fraud or misrepresentation by an applicant regarding any statements or representations contained in the application or the materials provided therewith.

(e) *Procedure:*

1. An application for tax stabilization shall be submitted to the Department of Community Development prior to the building permit being issued.
2. The application shall be forwarded to the Building Official and the Tax Assessor and the Tax Assessor will conduct a pre-construction review of the property in order to determine the assessed valuation of the property prior to the improvements.
3. The application will be forwarded to the Town Clerk for the Town Council's consideration.
4. Upon completion of the improvements, final inspection and issuance of the certificate of occupancy from the building official, the tax assessor will conduct a post-construction review to determine the taxable assessed value added to the property. The Tax Assessor will then notify the applicant of the added value and the schedule of phased in taxable value as determined by the Town Council.