

CITY OF NOME, ALASKA

Office of the City Clerk
P.O. Box 281 – 102 Division Street
Nome, Alaska 99762
(907)443-66 3 (907)443-5345 fax

APPLICATION - ECONOMIC DEVELOPMENT PROPERTY DEVELOPED FOR MULTI-UNTI RESIDENTIAL HOUSING

GENERAL INFORMATION:

- The applicant must file this application no later than February 1 of the assessment year for which the exemption is sought and prior to beginning project work.
- A separate application must be filed for each legally described lot or parcel of real property.
- The City Clerk or assessor may at any time require additional information and proof, in whatever form he or she considers necessary, or the legal right and the amount of the exemption claimed.
- The applicant shall have the burden of establishing eligibility for an exemption, and the exemption ordinance and statutes shall be strictly construed in favor of taxation.
- Copies of the State statute (29.45.030) and Nome Code of Ordinances (17.10 – 17.30) pertaining to exemptions are available at Nome City Hall upon request.

1. **Applicant:** _____, Phone: _____

Address _____ City _____ State _____
HAVE YOU PREVIOUSLY APPLIED FOR TAX EXEMPTION? YES NO
HAVE YOU BEEN DENIED FOR EXEMPTION IN THE PAST? YES NO
HAVE YOU BEEN PARTIALLY EXEMPTED IN THE PAST? YES NO

2. Street Address, legal description & parcel ID for proposed property:

(one parcel per application)

3. Basis for requested exemption: _____

4. Assessed value Land: _____ Structures (list each separately) :

5. Age of Structures Currently on parcel:

6. List and attach a copy of all current & prior building and land use permits obtained prior to application

7. List and include a copy of all current leases associated with the parcel:

By signing and submitting this application for exemption , I acknowledge and agree that taxes exempted upon approval of this application will become due and immediately payable if by the third December following approval of this application a certificate of occupancy or conditional certificate of occupancy has not been issued for a restored or new building on the real property constructed in accordance with all applicable building and land use permits containing at least one residential unit which is being used as rental housing which meets the requirements for an exception from sales tax under section 17.10.020(e) of this code and is not being used as a primary residence.

Furthermore I understand and acknowledge that if this exemption is revoked all taxes previously exempted will become due and owing immediately and the City of Nome will use its powers granted under AS 29.45 to enforce the collection of delinquent taxes.

DATED this _____ day of _____, Year _____.

Under penalty of perjury, the undersigned declares that he and/or she has examined this Application, including accompanying documents and statements, and to the best of his/her knowledge and belief, it is true, correct, and complete.

APPLICANT

PREPARER

STATE OF ALASKA)
)ss
 SECOND JUDICIAL DISTRICT)

SUBSCRIBED AND SWORN to or affirmed before me at _____
 On this _____ day of _____, _____

 NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
 My Commission Expires _____

City Clerk Use Only:	
Received _____	No. _____
Issued:	Denied:

1st Reading: May 9, 2022
2nd Reading: May 23, 2022

Presented By:
City Manager

Action Taken:
Yes
No
Abstain

ORDINANCE NO. O-22-05-03 (S) (amended)

AN ORDINANCE OF THE NOME CITY COUNCIL, NOME, ALASKA, AMENDING THE NOME CODE OF ORDINANCES, SECTION 17.20.020 TO PROVIDE FOR A PARTIAL TEMPORARY EXEMPTION FROM PROPERTY TAX FOR ECONOMIC DEVELOPMENT PROPERTY DEVELOPED FOR MULTI-UNIT RESIDENTIAL HOUSING.

WHEREAS, there is an increasing need to increase the supply of residential housing in the City; and

WHEREAS, there are a significant number of locations in the City suitable for creation of new residential dwelling units through construction of new buildings or renovation of existing buildings which could increase the supply of residential housing and ;

WHEREAS, it is in the public interest to provide an economic incentive for construction of new structures or renovation of existing structures in the form of a partial exemption from property taxation and;

WHEREAS, the construction of new or modifications of existing residential housing structures that will increase the number of long term rental dwelling units would be a significant capital investment that expands the tax base of the City and will generate significant property tax revenue after the exemption expires and;

WHEREAS such an exemption is authorized by Alaska Statute section 29.45.050(m) if adopted by ordinance .

THEREFORE, BE IT ORDAINED by the Nome City Council as follows:

Section 1. Classification: This is a Code ordinance.

Section 2. Amendment of NCO § 17.20.020(a). Section 17.20.020(a) of the Code of Ordinances of Nome, Alaska, is hereby amended by adding a new subsection to read as follows:

(12) Economic development property. The assessed value of Economic Development Property is, subject to subsection (a)(12)(a)-(d)., partially exempt from taxation for the duration set out in subsection (a)(12)(c), beginning in the year following approval by the assessor, or the assessor's designee, of an application demonstrating that the eligibility criteria set out in subsection (a)(12)(a)

have been met.

a. Eligibility criteria. A property owner qualifying for the exemption set out in subsection (a)(12) shall:

- i. Have received all building and land use permits necessary to construct Economic Development Property; and
- ii. Submit a qualifying application to the assessor or the assessor's designee prior to beginning work to construct a new building or renovate an existing building.

b. Exclusions.

- i. Restoration, or construction of temporary or seasonal use structures does not create eligibility for this tax exemption.
- ii. Restoration or construction of long term rental structures not available for rent to the general public does not create eligibility for this tax exemption.
- iii. Restoration or construction of long term rental structures which will not increase the supply of rental residential housing which meets the requirements for an exception from sales tax under section 17.10.020(e) of this code does not create eligibility for this tax exemption

c. Duration of exemption. The tax exemption granted by this subsection shall be for fifteen years.

d. Amount of exemption. An exemption under this section only exempts;

- i. that portion of the amount of real property tax that exceeds the amount levied on other real property for the City's required local contribution to the Nome Public School District under AS 14.17.410 (b)(2);
- ii. the incremental increase in assessed value of the property as determined in the first tax year after issuance of a certificate of occupancy or conditional certificate of occupancy under section 5.10.060 of this code.
- iii. for a mixed used building, only that portion of the incremental increase in assessed value that is attributed to the additional residential rental portion of the structure.

e. Taxes due if exemption expires or is revoked. An exemption granted under this subsection shall expire and taxes previously exempted shall become due and payable if:

- i. By the third December 31 following application approval, a certificate of occupancy or conditional certificate of occupancy under section 5.10.060 of this code, has not been issued for a restored or new building on the real property, constructed in accordance with all applicable building and land use permits and consisting of at least one residential dwelling units; or
- ii. A building or land use permit submitted with the application expires or is revoked and no restoration or replacement permit is obtained and a copy submitted to the assessor or the assessor's designee within 360 days; or
- iii. All units in a new or renovated building for which the application was granted are not being occupied as rental residential housing which meets the requirements for an exception from sales tax under section 17.10.020(e) of this code;; or
- iv. The exemption is revoked.

f. Application procedure. Applicants for the tax exemption authorized in subsection (a)(12) shall apply no later than February 1st of each assessment year for which the exemption is sought, on a form specified by the assessor or the assessor's designee, containing:

- i. The legal description and parcel number designation of the real property for which the exemption is being sought,
- ii. The assessed value and age of all buildings on the real property, and the estimated value of each separate building when there are multiple buildings,
- iii. A copy of all building and land use permits obtained to renovate an existing building or construct a new building on the real property, and
- iv. A copy of all current leases of dwelling units on the property, and
- v. An agreement and acknowledgement that taxes exempted upon approval of the application will become due and payable if by the third December 31 following approval of the application, a certificate of occupancy or conditional certificate of occupancy, has not been issued for a restored or new building on the real property, constructed in accordance with all applicable building and land use permits, containing at least one residential unit which is being used as rental residential housing which meets the requirements for an exception from sales tax under section 17.10.020(e) of this code.
- vi. Such other information as the assessor may require.

f. Revocation of exemption. An exemption granted under this subsection may be revoked if, at any time during the exemption period, all dwelling units on the property for which the exemption was granted are no longer being used as rental residential housing which meets the requirements for an exception from sales tax under section 17.10.020(e) of this code.

g. Appeal of revocation or expiration. Section 17.20.050 applies to determinations an exemption has expired and to determinations revoking an exemption.

h. Definitions. For purposes of this exemption “Economic Development Property” means real or personal property, including developed property conveyed under 43 U.S.C. 1601 et seq. (Alaska Native Claims Settlement Act), for which a building permit has been issued for construction of one or more multi-unit residential structures containing a total of at least one dwelling units which demonstrates that the total cost to complete the project will exceed the current assessed value of the property.

Section 3. Effective Date. This ordinance becomes effective immediately upon adoption, unless repealed by Nome voters by referendum however the earliest tax year for which a property may qualify for an exemption is the tax year commencing January 1, 2023.

Section 4. Notice of Eligibility for Repeal by Referendum. Notwithstanding any other provision of law this ordinance is subject to repeal either before or after its effective date by a referendum approved by a majority of those voting on whether to repeal this ordinance.

APPROVED and SIGNED this 23rd day of May, 2022.


John Handeland
Mayor

ATTEST:



Bryant Hammond
City Clerk