

1st Reading: March 25, 2019  
2nd Reading: August 26, 2019

Presented By:  
City Clerk

Action Taken:  
Yes 5  
No 0  
Abstain 0

## CITY OF NOME, ALASKA

### ORDINANCE NO. O-19-03-01 (Amended)

#### AN ORDINANCE AMENDING SECTION 17.20.020 Exemptions

**WHEREAS**, the Nome Code of Ordinances allows for the taxation of real and personal property within the city limits per Alaska Statutes Title 29; and,

**WHEREAS**, the Nome Code of Ordinances does not specifically exempt snow machines, ATVs, boats/motors and associated trailers, making snow machines, ATVs, boats/motors, and associated trailers owned for personal or business use within the City of Nome taxable; and,

**WHEREAS**, the cost of living in Nome is high and citizens engage in subsistence activities to ameliorate such high costs.

**NOW, THEREFORE, BE IT ORDAINED BY THE NOME COMMON COUNCIL THAT CHAPTER 17.20 OF THE NOME CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

**Section 1. Classification.** This is a Code ordinance.

**Section 2. Amendment of Title 17.** Title 17, Chapter 20, Section 020 of the Nome Code of Ordinances is hereby amended to read as follows [deleted text is ~~overstruck~~; added text is underlined]:

#### **17.20.020 Exemptions.**

(a) The following property is exempt from general taxation:

- (1) All property required to be exempted by state and federal law, including, but not limited to, property identified in AS 29.45.030;
- (2) Household furniture and personal effects of members of a household;
- (3) Improvements to real property if an increase in assessed value is directly attributable to new maintenance, repair, or renovation of an existing structure and if the maintenance, repair, or renovation, when completed, enhances the exterior appearance or aesthetic quality of the land or structure. No exemption may be allowed under this subsection for the construction of any improvement to a structure if the principal purpose of the

improvement is to increase the amount of space for occupancy for nonresidential use within the structure or for the alteration of land as a consequence of construction activity. An exemption provided in this subsection shall continue for four years from the date the improvement is completed or from the date of approval for the exemption by the assessor, whichever is later, provided however, that the same exemption shall extend to one hundred percent of the initial increased assessed value of the improvement during the first year, only seventy-five percent of the initial increased assessed value of the improvement during the second year, only fifty percent of the initial increased assessed value of the improvement during the third year, and only twenty-five percent of the initial increased assessed value of the improvement during the fourth year;

(4) Real property actually and exclusively used for a public park, provided that this use has been approved and accepted by the city council;

(5) All aircraft;

(6) The residence of a celebrant of the formularies of public worship of a recognized religious organization that does not ordain bishops, pastors, priests, rabbis or ministers as a part of its liturgy, provided that such residence is owned by the religious organization and used exclusively for nonprofit religious purposes;

(7) On the first one hundred fifty thousand dollars of assessed value, real property owned by a disabled veteran (as defined below) and as otherwise provided by AS 29.40.030(e);

(8) On the first one hundred fifty thousand dollars of assessed value, real property owned and occupied as a permanent place of abode and primary residence by a resident sixty-five years of age or older or a resident at least sixty years of age or older who is a widow or widower of a resident sixty-five years of age or older who qualified for an exemption and as otherwise provided by AS 29.45.030(e); and

(9) Business inventories held for resale in the normal course of business of a seller as defined by NCO Section 17.10.180 and who is issued a city sales tax certificate.

(10) Snow machines, ATVs, boats/motors and associated trailers held primarily for personal and/or subsistence use.

(b) To be eligible for an exemption under subsection (a)(7) or (8) of this section (only one exemption may be granted for each parcel of real property regardless of ownership), an individual must meet at least one of the following requirements: (i) the individual shall be eligible for a permanent fund dividend under AS 43.23.005 for that same year for which the exemption is sought or for the immediately preceding year; or (ii) if the individual has not applied or does not apply for one or both of the permanent fund dividends, the individual would have been eligible for one of the permanent fund dividends identified had the individual applied. The assessor shall require proof in the form the assessor considers necessary of the right to and amount of an exemption claimed under subsections (a)(7) and (8) of this section, and shall require a disabled veteran claiming an exemption under this section to provide evidence of the disability rating.


(c) For purposes of subsection (a)(7), a "disabled veteran" is a disabled person who is a resident of the state and (i) separated from the military service of the United States under a condition that is

not dishonorable, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as fifty percent or more by the United States Department of Veterans Affairs; or (ii) served in the Alaska territorial guard and whose disability was incurred or aggravated in the line of duty while serving in the Alaska territorial guard, and whose disability has been rated as fifty percent or more.

(d) Except with respect to public entities and agencies exempted under subsection (a) of this section, an exemption may not be granted under this section except upon written application for the exemption. The assessor may require proof under this section at any time. (Ord. O-06-12-02 § 2, 2006; Ord. O-06-10-03 § 2, 2006; Ord. O-99-8-1 § 2, 1998; Ord. O-96-8-7 § 2, 1995; Ord. O-93-6-6 § 1 (part), 1994)

**Section 4. Effective Date.** This ordinance is effective upon passage.

**APPROVED and SIGNED** this 26<sup>th</sup> Day of August, 2019.

  
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**RICHARD BENEVILLE,**  
Mayor

**ATTEST:**

  
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**BRYANT HAMMOND,**  
Clerk