

LAWRENCE COUNTY ABATEMENT PROGRAM

SECTION 1. DEFINITIONS

The following words and phrases shall have the following definitions and meanings:

Improvement - shall mean repair, construction or reconstruction: including alterations' and additions; having the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standards of safety, health, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep and Maintenance shall not be deemed to be an improvement.

Exemption - shall mean the exemption from taxation provided pursuant to this Resolution and shall be the exemption from real property taxation of that portion of the assessed value attributable to the improvement of industrial, commercial or other business property. The actual cost of any improvement shall be relevant to the exemption only to the extent that the appropriate assessment officials consider the actual cost of such improvements in determining the assessed value of the subject premises. In no event shall any exemption of assessed value exceed the actual cost incurred in making of any improvement.

LERTA Designated Areas - shall mean an area located within a municipality of Lawrence County designated by the taxing authority of being deteriorated or depressed communities.

Section 2. Qualifying properties

1. The exemption granted herein shall only apply to improvements to any industrial or commercial located within the LERTA District designated by the Tax Authority.
2. The exemption is based off of the increase in assessment after the property has been completed and reassessed by the Lawrence County Assessment Office. If the assessment of the improvement has not increased by more than \$100,000 the application for abatement will be null and void.
3. The exemption is based off of the increased improvement value and according to the following schedule:
 - a. **Year one (1) - 100%**
 - b. **Year two (2) - 80%**
 - c. **Year three (3) - 60%**
 - d. **Year four (4) - 40%**
 - e. **Year five (5) - 20%**
 - f. **Year six (6) - 0%**

Section 3. Procedure for applying for abatement

1. Any person desiring tax exemption pursuant to Resolution R-2018-072, shall notify each local taxing authority granting such exemption in writing on a form provided by it submitted at the time he secures the building permit, or if no building permit or other notification of new construction or improvement is required, at the time he commences construction. A copy of the exemption request shall be forwarded to the board of assessment and revision of taxes or other appropriate assessment agency. The assessment agency shall, after completion of the new construction or improvement, assess separately the new construction or improvement and calculate the amounts of the assessment eligible for tax exemption in accordance with the limits established by the local taxing authorities and notify the taxpayer and the local taxing authorities of the reassessment and amounts of the assessment eligible for exemption. Appeals from the reassessment and the amounts eligible for the exemption may be taken by the taxpayer or the local taxing authorities as provided by law.
2. Applicants must submit documentation of all construction costs in order to be considered for an abatement on the renovation of an existing structure. The documents required are but not limited to receipts for materials and delivery location confirmation.
3. Applicants must submit the following documentation for new constructions. Documents required, but not limited to, are Building Permits, Land Development Plans and Construction Plans.
4. Qualifying properties must be located within a LERTA Designated Area of the Tax Authority. Please see map of the tax authorities to which you want to apply for the LERTA Tax Abatement.
5. After the application is considered for exemption and acted on by the Lawrence County Board of Assessment Appeals, the application will be returned to the Lawrence County Assessor. The County Assessment office shall, after completion of the improvements, assess the property. If the assessment of the improvement has not increased by more than \$100,000 the application for abatement will be null and void.

Any other regulations not mentioned in these rules and regulations will be enforced by Act 76 of 1977 (Amended Act 90 of 1988) – Local Economic Revitalization Tax Assistance Act.

*Adopted October 3rd, 2018 by Lawrence County Board of Assessment Appeals