

§ 199-10. Exemption granted.

A. Legislative intent.

- (1) This real property tax exemption for historic properties is being enacted in order to achieve the following goals: to increase incentives for property owners in historic districts to invest in the upkeep and rehabilitation of properties; to provide an incentive for the restoration and rehabilitation of commercial structures which qualify as landmarks in order to provide financial advantages, not available elsewhere in the county at this time, which may help to attract and retain businesses in the City of Beacon; to assist homeowners who are interested in restoring their own properties, but who may not be able to afford to do so when faced with potential increases in taxation as the result of alterations which would qualify for this exemption; to provide financial incentives for investment in low-income residential neighborhoods which may contain landmarked buildings or districts designated within the area; and to provide a concrete benefit to offset the possible financial disadvantage of owning historically or architecturally significant properties which are subject to the regulations of the City's Local Landmarks Ordinance.¹
- (2) The City of Beacon real property tax exemption is intended to apply to alterations or rehabilitation of historic property as authorized pursuant to §§ 96-a and 119-aa through 119-dd of the General Municipal Law and § 444-a of the Real Property Tax Law and all other powers granted to the City of Beacon to provide such exemptions.
- (3) This article is intended to create a real property tax exemption that preserves or increases the historic character of real property located within the City of Beacon.

B. Real property within the City of Beacon altered or rehabilitated subsequent to the effective date of this article shall be exempt from City real property and special ad valorem levies, subject to and in accordance with the schedule set forth in § 199-10B(1) and conditions outlined in § 199-10B(1) and C.

- (1) Historic property which shall be defined hereafter shall be exempt from taxation to the extent of any increase in value attributable to such alteration or rehabilitation pursuant to the following schedule.

1. Editor's Note: See Ch. 134, Historic Preservation.

Year of Exemption	Percentage of Exemption
1	100%
2	100%
3	100%
4	100%
5	100%
6	80%
7	60%
8	40%
9	20%
10	0%

(2) No such exemption shall be granted for such alterations or rehabilitation unless all of the following criteria are met:

- (a) Such property must be historic, which shall mean that the property has been designated as a landmark or is a property that is located in and contributes to the character of a designated historic district, created by a local law which was passed pursuant to § 96-a or 119-dd of the General Municipal Law.
- (b) Alteration or rehabilitation of exteriors and public interiors (to the extent that public interiors are regulated by the local preservation law) of historic property must meet guidelines and review standards established in the local preservation law.
- (c) Alterations and rehabilitation of exteriors and public interiors (to the extent that public interiors are regulated by the local preservation law) of historic property are approved by the City's Landmarks Preservation Commission prior to commencement of work.
- (d) Alteration or rehabilitation must be for the purpose of historic preservation. For purposes of qualifying for a real property tax exemption pursuant to this article, alterations and rehabilitation shall be deemed to be for the purpose of historic preservation if:
 - [1] Only exterior work is involved;
 - [2] Interior work involves the portion of the building that has been designated as a public interior under the

local preservation law, once public interiors are regulated under the local preservation law;

[3] At least 20% of the total cost of the project is directly attributable to exterior work and/or work that enhances the structural stability or structural integrity of the property; provided, however, that such portion of interior work done for the purpose of converting property from a one- or two-family dwelling to a multiple dwelling as defined in the City Code of the City of Beacon, and any increase in value resulting from such conversion, shall not qualify for the exemption; or

[4] The project returns to use a building which has not been used for a permissible purpose under applicable zoning ordinances for a continuous period of at least two years.

(e) Alterations or rehabilitation must be commenced subsequent to the effective date of this article.

- C. This exemption shall be granted only by application of the owner or owners of such historic real property on a form prescribed by the State Equalization and Assessment Board. The application shall be filed with the City Assessor on or before the appropriate taxable status date covering City real property.
- D. Such exemptions shall be granted where the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section. The Assessor shall approve such application and such property shall thereafter be exempt from taxation and special ad valorem levies for City real property taxation as provided in the schedule established in § 199-10B(1) of this article commencing with the assessment roll prepared on the basis of the taxable status date referred to in § 199-10C of this article. 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 exemptions shown in a separate column.
- E. This article shall take effect immediately and shall apply to assessment rolls completed on or after such effective date.