

*Monroe County
Clerk of the Legislature*

*Cheryl M. Rozzi
Clerk*



*Casey K. DiCaro
Deputy Clerk*

*David Grant
Assistant Deputy Clerk*

MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Cheryl M. Rozzi, Clerk of the Legislature

A handwritten signature in black ink, appearing to be "C. Rozzi", is written over the "FROM:" line.

DATE: December 6, 2012

RE: Matter of Importance –File No. 12-0366

12-0366 - Amending Monroe County Code Chapter 357, Article XII, to Extend Residential-Commercial Urban Exemption (RESCUE) Program – As A Matter of Importance – County Executive Maggie Brooks

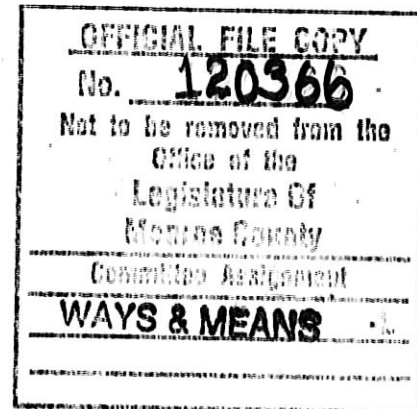
This referral was not made to committee at the preceding meeting of the Legislature on November 13, 2012, but has been determined by President Jeffrey R. Adair to be of sufficient importance to warrant referral between Legislative meetings, pursuant to Section 545-24C of the Rules of the Monroe County Legislature.

Attachments



Monroe County Legislature

TONY MICCICHE
LEGISLATOR - DISTRICT 26



December 6, 2012

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amending Monroe County Code Chapter 357, Article XII, to Extend Residential-Commercial Urban Exemption (RESCUE) Program

Honorable Legislators:

We recommend that Our Honorable Body enact a Local Law to extend the Residential-Commercial Urban Exemption (RESCUE) Program for an additional three-year period from 2013 through 2015.

The RESCUE program was adopted by the Monroe County Legislature on January 13, 2004 by Local Law No. 1 of 2004, extended by the Monroe County Legislature on November 13, 2007 by Local Law No. 1 of 2008 and extended by the Monroe County Legislature on February 1, 2010 by Local Law No. 1 of 2010. The program, a significant economic development and redevelopment tool, is set to expire unless extended by Our Honorable Body. After three (3) three-year periods of the RESCUE program, the City of Rochester authorized its extension for another three-year period in November 2012. The County could not enact its Local Law until the City Council had adopted its legislation first. The City's taxable status date is February 1, 2013, therefore, it is necessary to adopt this Local law by January 31, 2013.


Section 485-a of New York State Real Property Tax Law permits counties containing cities with populations of 50,000 to 1,000,000 that have adopted the RESCUE program to opt into the program, by local law. The intent of the program is to encourage the conversion of underutilized office, retail manufacturing and warehouse buildings to mixed residential-commercial uses in downtown areas of Upstate cities. Properties that are converted from non-residential to mixed residential-commercial use can receive partial exemptions from property taxes and special *ad valorem* levies for up to twelve (12) years. To qualify for the exemptions, the property must be located within the Center City District; owners must invest at least \$250,000 in converting the property; and must provide a minimum of 25% of the total developed space for residential purposes.

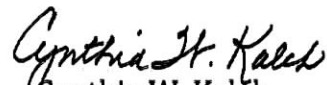
The specific legislative action required is to approve the attached proposed Local Law to extend the Residential-Commercial Urban Exemption (RESCUE) Program.

This Local Law will have no impact on the expenditures of the Monroe County budget and provides significant potential for increased revenues to the Monroe County budget upon expiration of the proposed exemptions.

We recommend that this matter receive favorable action by Our Honorable Body.

Respectfully Submitted,


Tony Micciche
Legislator - District 26


Cynthia W. Kaléh
Assistant Minority Leader

By Legislators _____ and _____

Intro. No. ____

LOCAL LAW NO. ____ OF 2013

AMENDING MONROE COUNTY CODE CHAPTER 357, ARTICLE XII, TO EXTEND RESIDENTIAL-COMMERCIAL URBAN EXEMPTION (RESCUE) PROGRAM

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Chapter 357, Article XII of the Monroe County Code is hereby amended to read as follows:

ARTICLE XII, Residential-Commercial Urban Exemption Program

§357-46. Authorization for exemption.

Pursuant to §485-a of the Real Property Tax Law, and as provided under this section, this Body hereby authorizes an exemption from real property taxation and special ad valorem levies attributable to the increase in assessed value associated with the conversion to mixed residential-commercial use for properties eligible for said exemption.

§357-47. Eligibility.

An eligible real property must be located within the City of Rochester Center City Zoning District. The cost of the conversion to mixed-use residential-commercial shall have a minimum cost of two hundred fifty thousand dollars (\$250,000) and provided further that as a result of the conversion at least twenty-five percent (25%) of the total developed floor space is used for residential purposes.

This local law shall be in effect for the years of 2004 through 2005, 2006, 2007, 2008, 2009, and 2010, 2011, 2012 and 2013, 2014 and 2015 assessment rolls. Any property that is granted an exemption on one of those rolls shall remain eligible for the additional years of exemption on that property, provided the property continues to meet the requirements of §485-a.

§357-48. Duration and computation of exemption.

The exemption is calculated as a percentage of the exemption base, which is the increase in assessed value attributable to the conversion. The base shall be determined for each year in which there is such an increase attributed to an eligible conversion. The exemption is to be calculated by the following method:

<u>Year of Exemption</u>	<u>Percentage of Exemption</u>
1 through 8	100% of Exemption Base
9	80% of Exemption Base
10	60% of Exemption Base
11	40% of Exemption Base
12	20% of Exemption Base

§357-49. Application for exemption.

Application for such exemption must be made by the owner or all of the owners of the property on forms prescribed by the State Board to be furnished by the appropriate assessing authority and shall furnish the information and be executed in the manner required or prescribe in such forms and shall be filed in such Assessor's office at least 90 days before the date for filing the final assessment roll.

Section 2. This local law shall take effect immediately upon filing in the office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Deleted language is ~~stricken~~
Added language is underlined

Matter of Importance
File No. 12-0____.LL

ENACTED: Date: _____, 2013 Vote: __

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____