

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1992-49

No. 574 AN ORDINANCE AMENDING ARTICLE VI OF THE
CODE OF ORDINANCES ENTITLED "TAX ABATEMENT ON
REHABILITATED PROPERTY."

Approved December 11, 1992

Be it ordained by the City of Providence:

SECTION 1. Article VI of the Code of Ordinances shall be amended as follows:

ARTICLE VI. TAX ABATEMENT ON REHABILITATED PROPERTY

Sec. 21-129. Definitions.

(a) Qualifying homesteader shall mean any individual(s) or nonprofit organization as presently defined in Section 501(c) (3) of the United States Internal Revenue Code, who have purchased an abandoned building and hold a recorded deed, and who shall rehabilitate.

(b) Abatements shall include all real estate taxes and any other municipal liens attached to the property including costs of acquisition by the City of Providence, up to the date of purchase by qualifying homesteader.

(c) Abandoned building shall mean any structure which (1) has been completely vacant over ninety (90) days and (2) has been boarded up or has been scheduled to be boarded up by the department of building inspection or division of code enforcement as determined by Section 124.713-40 of the housing code of the City of Providence, and Section 124.7 of the building code of the City of Providence. (Ord. 1978, Ch. 78-15, Section 1, 6-6-78).

Sec. 21-130. Reserved.

Sec. 21-131. Requirements for qualification.

The categories of property which qualify for abatement shall be abandoned buildings with back taxes owing that are required to be paid by qualifying homesteaders. (Ord. 1978, 78-15, Section 3, 6-6-78).

Sec. 21-132. Application; documentation.

Applications for abatement shall be made with the city collector and shall provide him or her with all necessary documentation. The necessary documentation shall be determined by the city collector's office. (Ord. 1978, Ch. 78-15, Section 4, 6-6-78).

Sec. 21-133. Prohibited tax sale; effect of prior sale.

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All property where an application for abatement is pending and is deemed as bona fide by the city collector, shall not be offered for tax sale. Also, while an application for abatement is pending, the city treasurer shall not assign or transfer the property. No current tax payment shall be applied for satisfaction of back taxes due and owing. (Ord. 1978-15, Ch. 78-15, Section 5, 6-6-78).

Sec. 21-134. Requirements for final approval by city collector.

The final approval of abatement of back taxes may be granted after the city collector has received the following:

- (a) Sworn affidavit of tax title.
- (b) Certification of building inspector that required building permits have been applied for and complied with.
- (c) Certification from the division of minimum housing that the property is in compliance with the Providence Minimum Housing Standards.
- (d) A certificate of clear title, but for municipal liens. (Ord. 1978, Ch. 78-15, Section 6, 6-6-78).
- (e) A sworn statement delineating a proper method of financing, the feasibility of which shall be determined by the city collector.

Sec. 21-135. Time limit for council approval.

Upon presentation of the foregoing documents, the city collector shall recommend to the city council, the abatement of all taxes due and owing on acquisition by qualifying homesteader. Final approval of abatement may be granted no later than three (3) years from date of initial application. (Ord. 1978, Ch. 78-15, Section 7, 6-6-78).

Sec. 21-136. Lien to be placed on deed.

The city solicitor shall cause a lien to be placed on the deed of the property to be conveyed in the total amount of the taxes abated. Said lien shall remain on the property for five (5) years.

If said property is sold within the five (5) year period, the lien must be paid out of the proceeds of the sale. This section shall not apply to nonprofit organizations transferring property to owner occupants. However, if said owner occupant transfers the property within a five year period, the lien must be paid out of the proceeds of the sale.

Prior to any lien expiring, the Director of Inspection and Standards shall certify that the building has been brought up to all appropriate codes.

Secs. 21-137-21-140. Reserved.

SECTION 2. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL

NOV 19 1992

**FIRST READING
READ AND PASSED**

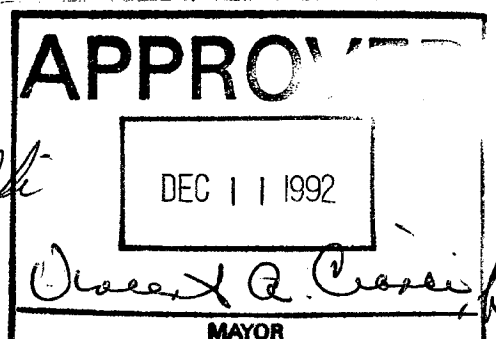
Michael R. Clement
CLERK

**IN CITY
COUNCIL**

DEC 3 1992

**FINAL READING
READ AND PASSED**

James H. Russell
PRESIDENT
Michael R. Clement
CLERK



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THE COMMITTEE ON
FINANCE

Approves Passage of
The Within Ordinance

Michael L. Clement
Chairman

NOV 5 1998