

Local Law #1 of 2013
Village of Bergen
Exemption for Capital Improvements to Residential Buildings

WHEREAS, The following Local Law was duly introduced to the Board of Trustees of the Village of Bergen to amend the tax laws of the Village of Bergen.

Be it enacted, by the Board of Trustees, Village of Bergen, New York, as follows:

Section 1. Exemptions for Capital Improvements to Residential Buildings in the Village of Bergen.

Exemptions Established

Residential buildings within the Village of Bergen, New York that are reconstructed, altered or improved, pursuant to 421-f of the NYS Real Property Tax Law shall be exempt from taxation.

Amount of Exemption

- A. The exemption equals the base exemption, multiplied by one of the following percentages. The extent of such exemptions shall decrease by 12½% of the exemption base each year during such additional period pursuant to the following.

Year 1	100%
Year 2	87.5%
Year 3	75%
Year 4	62.5%
Year 5	50%
Year 6	37.5%
Year 7	25%
Year 8	12.5%
Year 9	0%

- B. Such exemptions shall be limited to \$80,000 in increase market value, but not less than \$3,000 of the property attributable to such reconstruction, alteration or improvement, and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this section. For purposes of this section, the market value of the reconstruction, alteration or improvement shall be equal to the increased assessed value attributable to such reconstruction, alteration or improvement divided by the most recently established state equalization rate or special equalization rate, except where the state equalization rate or special equalization rate equals or exceeds 95%, in which case the increase in assessed value attributable to such reconstruction, alteration or improvement shall be deemed to equal the market value of such reconstruction, alteration or improvement.

Section 2. Eligibility for Exemption

- A. No such exemption shall be granted for reconstruction, alterations or improvements unless:
1. Such reconstruction, alteration or improvement was commenced subsequent to the effective date of the local law or resolution adopted; and
 2. The value of such reconstruction, alteration or improvement exceeds \$3,000; and
 3. The greater portion, as so determined by square footage, of the building reconstructed, altered or improved is at least five years old; and
 4. The reconstruction, alteration or improvement shall have been permitted by the Village of Bergen Code Enforcement Officer such that a building or plumbing permit issued and said reconstruction, alteration or improvement shall have met all necessary approvals per the applicable New York State Uniform Fire Prevention and Building Code, Bergen Municipal Code; and
 5. The property for which exemption is sought must be a one or two family residence.
- B. For purposes of this section the terms "reconstruction," alteration" and "improvement" shall not include ordinary maintenance and repairs.
- C. In the event that a building granted an exemption pursuant to this article ceases to be used primarily for residential purposes or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this article shall cease.

Section 3. Time to file application

Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the State Board. The application shall be filed with the Assessor of the Village of Bergen on or before the taxable status date of March 1. Any exemption pursuant to this article shall be granted only upon application by the owner thereof on the form prescribed by the State Board. The application shall be filed with the Assessor of the Village of Bergen on or before the taxable status date of March 1 to be eligible for any exemption to be entered on the assessment roll prepared on the basis of said taxable status date.

Section 4. Effective Date

This local law shall take effect immediately and end March 1st 2033