

ORDINANCE NO. 12

Title: An Ordinance Authorizing Industrial Property Tax Exemptions.

Be it Enacted by the Board of Supervisors of Cedar County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to authorize partial property tax exemptions for certain classes of property specified herein on which improvements have been made, in accordance with the provisions of Chapter 427B, Iowa Code, 1987.

SECTION 2. Definitions. This Ordinance shall be subject to and interpreted according to the definitions and requirements set forth in Chapter 427B, Iowa Code, 1987.

SECTION 3. Partial Exemption Provided For. The County of Cedar hereby provides for a partial tax exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of or improvement to machinery and equipment assessed as real estate pursuant to Section 427 A.1 (1e) Iowa Code 1987, within the county of Cedar. This partial exemption shall also apply to owner-operated cattle facilities, including small or medium sized feed lots but not including slaughter facilities, either by new construction or retrofitting existing facilities, as allowed by Section 427B.7, Iowa Code 1987, as amended by H.F. 626, Acts 72nd G.A.

SECTION 4. Actual Value Added. The actual value added to the qualified property for the reasons specified in Section 3 above is eligible to receive a partial exemption from taxation for a period of five years. However, if the property ceases to be classified as industrial real estate or ceases to be used as a warehouse, distribution center, research-service facility, owner-operated cattle facility or machinery and equipment assessed as real estate, the partial exemption for value added shall not be allowed for subsequent assessment years. "Actual Value Added" means the actual value added as of the first year for which the exemption is received, except that actual value added by improvements to machinery and equipment means the actual value as determined by the Assessor as of January 1st of each year for which the exemption is received. The amount of actual value added which is eligible to be exempt from taxation shall be as follows: a. For the First year--75%; b. For the second year--60%; c. For the third year--45%; d. For the fourth year--30%; e. For the fifth year--15%. However, the exemption granted herein for improvements to or retrofitting of existing property or facilities shall not in any event reduce the assessed value of that property below the assessed value of that property prior to the improvement or retrofitting.

SECTION 5. Application For Exemption. An Application for Exemption shall be filed by the owner of the property with the County Assessor by February 1st of the assessment year in which the value added is first assessed for taxation for each project resulting in actual value added for which an exemption is claimed. Application for Exemption shall be made on forms prescribed by the Director of Revenue of the State of Iowa, supplying all information deemed necessary by said Director. A proposal for prior approval and the granting of prior approval for eligibility for tax exemption shall be made in accordance with Section 427B.4, Iowa Code 1987, and the applicant for prior approval shall be responsible for and reimburse Cedar county for all publication costs for notice of the required hearings.

SECTION 6. Limitation on Exemptions. A property tax exemption under this ordinance shall not be granted if the property for which the exemption is claimed has received or is eligible for any other property tax exemption allowed by law.

SECTION 7. Severability Clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. When Effective. This ordinance shall be effective after its final passage, approval, and publication as provided by law.