

ORDINANCE NO. 10

AN ORDINANCE ESTABLISHING A PARTIAL PROPERTY TAX  
EXEMPTION FOR THE CONSTRUCTION OF NEW INDUSTRIAL  
PROPERTY AND/OR THE ACQUISITION OF NEW MACHINERY  
AND EQUIPMENT

WHEREAS, the Board of Supervisors of Appanoose County, Iowa, is empowered to provide for a partial exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate and the acquisition of or improvement to machinery and equipment assessed as real estate; and

WHEREAS, this Board has agreed to so provide a partial exemption from property taxation as provided by law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF APPANOOSE COUNTY, IOWA:

Section 1. The Board of Supervisors, by this ordinance, does hereby provide for a partial exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate and the acquisition of or improvement to machinery and equipment assessed as real estate pursuant to Section 427A.1(1)(e) of the Code of Iowa.

Section 2. Under this ordinance the partial exemption from taxation shall be available for a period of five years.

Section 3. Definitions:

"New construction" means new buildings and structures and includes new buildings and structures which are constructed as additions to existing buildings and structures. New construction does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the Board of Supervisors upon the recommendation of the Iowa Development Commission. The exemption shall also apply to new machinery and equipment assessed as real estate pursuant to Section 427.1(1)(e) of the Code of Iowa, unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status.

"Actual value added" as used in this ordinance means that 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 that actual value as determined by the assessor as of January first of each year for which the exemption is received.

Section 4. The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

- a. For the first year, seventy-five percent.
- b. For the second year, sixty percent.
- c. For the third year, forty-five percent.
- d. For the fourth year, thirty percent.
- e. For the fifth year, fifteen percent.

The granting of the exemption for new construction constituting complete replacement of an existing building or structure shall not result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the start of the new construction added.

Section 5. Procedure:

(a) An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February first of the assessment year in which value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the Director of Revenue and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue.

(b) A person may submit a proposal to the Board of Supervisors to receive prior approval for eligibility for a tax exemption on new construction. The Board of Supervisors, by ordinance, may give its prior approval of a tax exemption for new construction if the new construction is in conformance with the zoning plans for the County. Such prior approval shall not entitle the owner to exemption from taxation until the new construction has been completed and found to be qualified real estate. However, if the tax exemption for new construction is not approved, the person may submit an amended proposal to the Board of Supervisors to approve or reject.

Section 6. When in the opinion of the Board of Supervisors continuation of the exemption granted by this ordinance ceases to be of benefit to the County, the Board of Supervisors may repeal this ordinance, but all existing exemptions shall continue until their expiration.

Section 7. A property tax exemption under this ordinance shall not be granted if the property for which the exemption is claimed has received any other property tax exemption authorized by law.

Section 8. This ordinance shall take effect and be in full force and effect from and after its final passage, approval and publication as by law provided.

PASSED, ADOPTED AND APPROVED this 4th day of December 1989.

BOARD OF SUPERVISORS  
APPANOOSE COUNTY, IOWA

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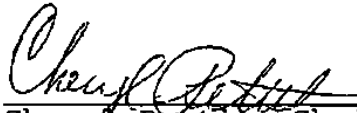
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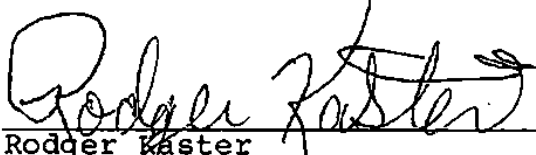
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BOARD OF SUPERVISORS  
APPANOOSE COUNTY, IOWA

  
Cheryl Pettit, Chairperson

  
Beverly Baldwin

  
Rodger Kaster

Attest:

  
Linda Demry, County Auditor

# PUBLISHER'S CERTIFICATE

STATE OF IOWA  
Appanoose County

ss.

On this 11<sup>th</sup> day of December 1989  
personally appeared before the undersigned,  
within and for said County and State \_\_\_\_\_

William O. Hayes  
App.  
Publisher of the

## AD-EXPRESS AND DAILY IOWEGIAN AND CITIZEN

a daily newspaper published in Centerville, County  
of Appanoose, State of Iowa, who being duly  
sworn states on oath that the \_\_\_\_\_

Ordinance # 10

\_\_\_\_\_ a true copy of which  
is hereto attached was published in said paper in

the issue of Monday, December

11, 1989

W. O. Hayes

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Legals Cont. on Page 6

### Legals Cont. from Page 5

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W. M. BRIGGS  
MISSION EXPIRES  
- 2692

BOARD OF SUPERVISORS  
APPANOOSE COUNTY, IOWA  
/s/ Cheryl Pettit, Chairperson  
/s/ Beverly Baldwin  
/s/ Rodger Kaster

Attest:  
/s/ Linda Demry, County Auditor  
Runs 1x  
December 11, 1989.

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