

LC002608

IN GENERAL ASSEMBLY

RELATING TO TOWNS AND CITIES -- QUALIFYING LOW- AND MODERATE-INCOME
HOUSING -- TOWN OF WEST GREENWICH -- TAX STABILIZATION

Referred To: Senate Finance

1 SECTION 1. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby
2 amended by adding thereto the following chapter:

GREENWICH -- TAX STABILIZATION

7 (a) For purposes of this chapter, the words and terms defined in § 45-53-3 shall have the
8 same meaning when used in this chapter.

12 (1) "Exit 7 special management district" means large-scale development consistent with
13 the West Greenwich comprehensive plan in the area located at exit 7 along Interstate 95 in the town
14 of West Greenwich.

15 (2) "Qualified property" means a development project for which the property owner
16 submits a comprehensive permit application to the town of West Greenwich, in accordance with
17 the provisions of chapter 53 of title 45 and the code of ordinances; provided that, the proposed
18 development project:

- 1 (1) Contains at least twelve (12) acres of previously undeveloped land;
2 (2) Is located exclusively within the town of West Greenwich's exit 7 special management
3 district; and
4 (3) Includes one or more structures containing no less than three hundred (300) residential
5 housing units, at least twenty-five percent (25%) of which constitute deed-restricted low- or
6 moderate- income housing units. A qualified property may be comprised of one or more contiguous
7 tax parcels, and may have distinct and/or multiple owners.

8 **45-53.1-2. Exemption or stabilization of tax on qualified property used for residential**
9 **purposes inclusive of low- and moderate-income housing in the town of West Greenwich.**

10 (a) To address the longstanding challenges faced by the town of West Greenwich and
11 surrounding municipalities to meet state and local needs for low- and moderate-income housing
12 pursuant to the provisions of chapter 53 of title 45 ("low and moderate income housing") and the
13 town of West Greenwich code of ordinances, the town council for the town of West Greenwich
14 may hold a public hearing, at least ten (10) days' notice of which shall be published in a newspaper
15 of general circulation in the town of West Greenwich, and upon a determination by the town council
16 that the granting of the exemption and/or stabilization of taxes for a qualified property shall inure
17 to the benefit of the town of West Greenwich including, without limitation, by reason of the town
18 of West Greenwich achieving, exceeding, or furthering its realization of its goal of ten percent
19 (10%) of its year round housing units constituting low- and moderate-income housing units
20 pursuant to the provisions of chapter 53 of title 45, the town council may vote to authorize for a
21 period not exceeding thirty (30) years and notwithstanding the valuation of the property or the rate
22 of tax:

23 (1) To exempt from the payment of taxes, in whole or in part, all or any portion of a
24 qualified property including, without limitation, housing units deed restricted as low- or moderate-
25 income housing units that are not so restricted, land, and/or other improvements; and/or

26 (2) To determine a stabilized amount of taxes to be paid on account of all or any portion of
27 a qualified property including, without limitation, housing units deed restricted as low- or
28 moderate-income housing units that are not so restricted, land, and/or other improvements.

29 (b) The town council may hold a public hearing and vote to authorize an exemption and/or
30 stabilization pursuant to this chapter at any time after a comprehensive permit application for a
31 qualified property has been submitted to the town in accordance with the provisions of chapter 53
32 of title 45 and the town code of ordinances, and a request for tax exemption and/or stabilization
33 pursuant to this chapter has been submitted to the town council. If the town council votes to
34 authorize an exemption and/or stabilization of qualified property pursuant to this chapter, such

1 affirmative vote shall be deemed authorization for the president of the town council to execute and
2 deliver on behalf of the town a written agreement with the qualified property owner containing the
3 terms and conditions of such approved exemption and/or stabilization pursuant to this chapter.

4 (c) Except as otherwise provided in this chapter, property for which taxes have been
5 exempted and/or stabilized, in whole or in part, pursuant to this chapter shall not, during the period
6 for which taxes have been so exempted and/or stabilized, be further liable to taxation by the town
7 as long as such property shall remain qualified property as defined in § 45-53.1-1(b).

8 (d) Any period of tax exemption and/or stabilization granted by the town council shall
9 commence on the first day of the fiscal year immediately following the fiscal year in which the
10 town shall have issued a certificate of occupancy for a residential housing unit at the qualified
11 property.

12 (e) If any property owner whose property taxes have been exempted and/or stabilized
13 pursuant to this chapter remains delinquent in the payment of property taxes for more than sixty
14 (60) days after the town council delivers written notice of such delinquency to the property owner
15 and all mortgagees of record, the town council shall have the authority to review and vote to
16 terminate the tax exemption and/or stabilization at a meeting for which at least ten (10) days' prior
17 written notice shall be provided to the property owner and all mortgagees of record.

18 (f) Any exemption and/or stabilization granted under this chapter shall continue until the
19 earlier of:

20 (1) Thirty (30) years from the commencement date identified in subsection (d) of this
21 section;

22 (2) The expiration of such time period authorized by the town council;

23 (3) Termination by the town council due to delinquency in the payment of the property
24 taxes, as set forth in subsection (e) of this section subject to all applicable notice and cure rights;
25 and

26 (4) The property does not contain one or more structures containing no less than three-
27 hundred (300) residential housing units, at least twenty-five percent (25%) of which constitute
28 deed-restricted low- or moderate-income housing units.

29 **45-53.1-3. Severability.**

30 If any term or provision of this chapter, or the application thereof to the town of West
31 Greenwich or to any property, property owner, person, or circumstances, is deemed invalid for any
32 reason, the remainder of such terms or provisions of this chapter, or the application of such terms
33 or provisions to the town of West Greenwich, or to any property, property owner, persons, or
34 circumstances, shall not be affected thereby and, to this end, the provisions of this chapter are

1 [declared to be severable.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES -- QUALIFYING LOW- AND MODERATE-INCOME
HOUSING -- TOWN OF WEST GREENWICH -- TAX STABILIZATION

- 1 This act would authorize the town council of West Greenwich to provide an exemption
- 2 and/or stabilization of tax agreement on qualified property used for residential purposes inclusive
- 3 of low- and moderate-income housing in the town of West Greenwich.
- 4 This act would take effect upon passage.

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