



COUNCIL ORDINANCE NO. 20632

**ORDINANCE CONCERNING LOW-INCOME RENTAL HOUSING
PROPERTY TAX EXEMPTIONS AND AMENDING SECTIONS
2.938, 2.939 AND 2.940 OF THE EUGENE CODE, 1971.**

ADOPTED: May 26, 2020

SIGNED: May 29, 2020

PASSED: 8:0

REJECTED:

OPPOSED:

EFFECTIVE: June 29, 2020



ORDINANCE NO. 20632

**AN ORDINANCE CONCERNING LOW-INCOME RENTAL HOUSING
PROPERTY TAX EXEMPTIONS AND AMENDING SECTIONS 2.938, 2.939 AND
2.940 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Subsection (1)(g) of Section 2.938 of the Eugene Code, 1971, is amended to provide:

2.938 Low-Income Rental Housing Property Tax Exemption - Application.

(1) An application for exemption from property taxes hereunder for low-income rental housing units constructed after February 12, 1990 shall be filed with the city manager, on a form provided by the city manager, which shall contain the following, if applicable:

.....

(g) Evidence that the property is owned or being purchased by a non-profit corporation which meets the criteria for a public benefit corporation as described in ORS 65.001(38), or a religious corporation, as described in ORS 65.001(40);

.....

Section 2. Subsections (3)(c) and (3)(d) of Section 2.939 of the Eugene Code, 1971, are amended to provide:

2.939 Low-Income Rental Housing Property Tax Exemption - Review, Approval or Denial of Application.

.....

(3) As an alternative to an application considered under subsection (2) of this section, the city manager shall recommend approval of an application, and the council shall grant the exemption upon determining the applicant meets the criteria set forth in subsections (2)(e), (f), (g), (h) and (i) of this section and all the following criteria:

.....

(c) The applicant's application was filed prior to July 1, 2030;

(d) The property is owned or being purchased by a nonprofit corporation organized in a manner that meets the criteria for a public benefit corporation, as described under ORS 65.001(38) or for a religious corporation, as described under ORS 65.001(40); and

.....

Section 3. Subsections (1)(a) and (4) of Section 2.940 of the Eugene Code, 1971, are amended to provide:

2.940 Low-Income Rental Housing Property Tax Exemption - Termination.

- (1) If after a resolution approving an application for exemption hereunder has been filed with the county assessor the city manager finds that:
- (a) Construction or development of the exempt property differs from the construction or development described in the application for exemption, or was not completed on or before July 1, 2030, and no extensions or exceptions as provided in subsection (4) hereof have been granted; or,
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- (4) Upon receipt of a request from the property owner, the council may, by resolution, extend the deadline beyond July 1, 2030 for completion of construction of the low-income rental housing for a period not to exceed 12 consecutive months, i.e., July 1, 2031, if it finds the failure to complete construction by July 1, 2030 was due to circumstances beyond the control of the owner, and that the owner had been and could reasonably be expected to act in good faith and with due diligence. If property granted an exemption hereunder is subsequently destroyed by fire or act of God, or is no longer capable of owner-occupancy due to circumstances beyond the control of the owner, the exemption shall cease, but no additional taxes shall be imposed upon the property under ORS 307.531 or 307.533.

Section 4. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

26th day of May, 2020



City Recorder - Deputy

Approved by the Mayor this

29 day of May, 2020



Mayor