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4 AN ORDINANCE AMENDING AND RESTATING AND REPLACING ENTIRELY §153.26
5 OF THE FORT WAYNE MUNICIPAL CODE OF ORDINANCES
6 "DESIGNATING RESIDENTIALLY DISTRESSED AREAS"

7
8 **WHEREAS**, pursuant to §6-1.1-12.1-2, the Fort Wayne Common Council has the
9 authority to define portions of the community as Residentially Distressed Areas; and

10 **WHEREAS**, once a parcel of land has been defined as a Residentially Distressed Area,
11 the Fort Wayne Common Council may then hear petitions for tax deductions to new build homes
12 or residential improvements that increase the assessed value of the property; and

13 **WHEREAS**, this process was initially approved in 2015 by the Fort Wayne Common
14 Council and has been determined to increase potential investment in distressed areas of the
15 community to incentivize development in the identified areas.

16 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**
17 **CITY OF FORT WAYNE, INDIANA:**

18 **SECTION 1.** Amend, Restate and Replace entirely § 153.26 "DESIGNATING
19 RESIDENTIALLY DISTRESSED AREAS" with the following:

20 § 153.26 DESIGNATING RESIDENTIALLY DISTRESSED AREAS.

21 (A) Upon appropriate request, the Common Council may designate as RESIDENTIALLY
22 DISTRESSED AREAS those parcels of property which are located within the corporate limits of
23 the city and meet all the following criteria specified in IC 6-1.1-12.1-2(b):

24 (1) The area is comprised of parcels that are either unimproved or contain only one- or two-
25 family dwellings or multi-family dwellings designed for up to four families, including accessory
26 structures for those dwellings;

27 (2) Any dwellings in the area are not permanently occupied and are either:

28 (a) The subject of an order issued under IC 36-7-9; or

29 (b) Evidencing significant building deficiencies; and

30 (3) Parcels of property in the area either:

31 (a) Have been sold and not redeemed under IC 6-1.1-25; or

32 (b) Are owned by a unit of local government.
33

(B) As an alternative to the findings required by division (A) above, the Common Council may designate as RESIDENTIALLY DISTRESSED AREAS those parcels of property which are located within the corporate limits of the city and meet all the following alternative criteria specified in IC 6-1.1-12.1-2(c):

(1) A significant number of dwelling units within the area are not permanently occupied or a significant number of parcels in the area are vacant land;

(2) A significant number of dwelling units within the area are either:

(a) The subject of an order issued under IC 36-7-9; or

(b) Evidencing significant building deficiencies;

(3) The area has experienced a net loss in the number of dwelling units, as documented by census information, local building and demolition permits, or certificates of occupancy, or the area is owned by Indiana or the United States; and

(4) The area (plus any areas previously designated under this subsection) will not exceed 10% of the total area within Common Council's jurisdiction.

(C) Any dwellings built or rehabilitated on property designated as a residentially distressed area under divisions (A) or (B) above must meet local code standards for habitability for the property owner to receive a deduction.

(D) Dwellings must be built or rehabilitated on the property within two years of the date of designation, for parcels located within the Residentially Distressed Areas as designated by Common Council under subsection A of this §153.26:

(E) The deduction awarded for property located in a residentially distressed area shall be available for a period of five years. The amount of the deduction the owner of the property is entitled to receive for each particular year equals the product of:

(1) The increase in the assessed value resulting from the rehabilitation or redevelopment; multiplied by:

(2) The following percentages for each year that the deduction may be taken for parcels located within the Residentially Distressed Areas as designated by Common Council under subsection A of this §153.26:

Year	Percentage of Increase in Assessed Value
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1	100%
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2	80%
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3	60%
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4	40%
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5	20%
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1 (3) The following percentages for each year that the deduction may be taken for parcels located
2 within the Residentially Distressed Areas as designated by Common Council under subsection B
3 of this §153.26:

Year	Percentage of Increase in Assessed Value
1	100%
2	100%
3	100%
4	100%
5	100%

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6 **SECTION 2.** That this Ordinance shall be in full force and effect from and after its
7 passage and any and all necessary approval by the Mayor.
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10 _____
11 Michelle Chambers, Council Member
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15 APPROVED AS TO FORM AND LEGALITY
16

17 _____
18 Joseph G. Bonahoom, City Council Attorney

Residentially Distressed Areas

