

Sec. 94-30. - Maintenance for tax exemption purposes.

For the purposes of a historic structure tax exemption, maintenance or improvements shall mean, and be limited to, any work done to the building structure, to include mechanical, plumbing, electrical, painting or other physical improvements necessary for the preservation of the building as determined by the historic preservation officer.

(Ord. No. 2017-03, § 1, 2-21-17)

Sec. 94-31. - Tax exemption for improvements made to properties in the downtown historic district.

- (a) Pursuant to Section 11.24 of the Texas Tax Code and Article 8, Section 1-f of the Texas Constitution, as the same may be amended from time to time, and provided the applicant is in compliance with the following subsections of this section, the city hereby exempts from taxation the increase in value to a structure in the downtown historic district which results from renovation or restoration in which funds or labor of a value in excess of \$2,000.00 were expended. This exemption does not apply to the taxation on assessed value of the structure prior to renovation or restoration, nor the value of the land.
- (b) To be eligible for exemption, the property owner must submit an application to the Main Street Advisory Board and the Seguin Economic Development Tax Abatement Review Committee documenting the completed renovation or restoration. If the Main Street Advisory Board and the tax abatement review committee approves the application then it will be forwarded to city council for final approval. With city council approval the increased value to the structure due to the renovation or restoration will be exempt from taxation.
- (c) The exemption may be initially refused or cancelled during the life of the exemption if:
 - (1) Ad valorem taxes are or become delinquent on the property; unless the delinquency is the product of a bona fide and verifiable dispute with the taxing entities;
 - (2) The property initially does not or fails to be in compliance with all local and state building codes.
- (d) The city may grant an exemption from taxation:
 - (1) For a period of up to five years from the date of substantial completion of the restoration or renovation for an expenditure of funds in excess of \$2,000.00 but less than \$500,000.00; or
 - (2) For a period of up to ten years from the date of substantial completion of the restoration or renovation [for] an expenditure of funds in excess of \$500,000.00.
- (e) The term of exemption is available regardless of whether the property ownership changes.
- (f) The property owner must execute a tax exemption agreement on a form acceptable to city staff which may contain conditions for the granting of the exemption and provisions for repayment in the event of default.

(Ord. No. 92-34, §§ 1—5, 8-4-92; Ord. No. 97-63, §§ 2, 3, 11-4-97; Ord. No. 05-34, §§ 1, 2, 7-5-05; Ord. No. 10-80, § 1, 11-16-10)

Sec. 94-32. - Property tax exemption for certain historically significant structures.

- (a) *Purpose.* The tax exemptions granted pursuant to this section are adopted pursuant to the authority of Article 8, Section 1-f of the Texas Constitution and V.T.C.A. Property Code § 11.24. The purpose of this section is to encourage the preservation of historic properties within the City of Seguin. Nothing in this section shall relieve a person from the responsibility to apply each year to the appraisal district for an exemption pursuant to the requirements of the Texas Property Tax Code.
- (b) *Eligibility.* To be eligible for the tax exemption provided under this section, a property must be:
- (1) Located within the city limits of the City of Seguin;
 - (2) Used as a primary residence;
 - (3) Designated as a recorded Texas Historic Landmark under V.T.C.A. Government Code Ch. 442; and
 - (4) Authorized via resolution of the city council to receive such an exemption.

This tax exemption is limited to the appraised value of taxable structures and does not include land.

- (c) *Authorization from city council.* Unless a later application is approved by city council under special circumstances, in order to qualify for the exemption, an owner of property must make application to the city council on or before April 1 of the tax year for which the exemption is being requested. The application must be in the form of a written request to the city manager and must contain the following information:
- (1) The address and legal description of the property;
 - (2) The current owner's name;
 - (3) Verification that the property is currently occupied and being used as a residence;
 - (4) Documentation verifying expenses for maintenance or restoration of the property in at least the dollar value of the exemption being requested, which expenses may include the costs associated with obtaining Texas Historic Landmark status; and
 - (5) Documentation showing that the property is a recorded Texas Historic Landmark.

Upon receipt of the application, the city manager shall forward the application to staff for review and recommendation and shall place the matter on the agenda for the next available council meeting. City council shall thereafter vote by resolution to either approve or deny the

application. A resolution approving an exemption shall state the tax year for which the exemption is being granted, the legal description of the property and the percentage of the appraised value of the property which shall be exempted from taxation.

(Ord. No. 98-41, 6-2-98; Ord. No. 06-08, § 1, 2-21-06)