

POLICY
PROCEDURE IN PROCESSING APPLICATION FOR FIXING TAX ASSESSMENT
PURSUANT TO GENERAL STATUTES SECTIONS 12-65b and 12-65h

PURPOSE

This Policy Statement describes the procedure under which a taxpayer or authorized representative may request the fixing of a tax assessment pursuant to Connecticut General Statutes Sections 12-65b and 12-65h.

BACKGROUND

General Statutes § 12-65b provides that municipalities may enter into a written agreement by the affirmative vote of its legislative body, with any party owning or proposing to acquire an interest in real property, air space or the lessee of air space in the municipality. Section 12-65b restricts the length of time the fixed assessment may last depending upon the amount of money being invested. It also restricts the type of improvements eligible for the tax benefit.

In general, for the uses that are eligible for a benefit under the above statutes, the length of time an assessment may be fixed is determined by the amount of investment. For example, if the cost of improvements to real property is not less than three million dollars, an agreement to fix the assessment thereon may be for up to seven years. If the investment is not less than five hundred thousand dollars, the assessment may be fixed up to two years.

Connecticut General Statutes Section 12-65h provides that municipalities may enter into written agreements, by the affirmative vote of its legislative body, with any party owning or leasing or proposing to acquire an interest in real property or air space in the municipality, upon which is located or proposed to be located a manufacturing facility as defined in subsection (72) of Section 12-81, fixing the assessment of the personal property located in the facility which is the subject of the agreement. Section 12-65h restricts the length of time the fixed assessment may last depending upon the amount of increase in the assessed value of such personal property.

EFFECTIVE DATE: This Policy Statement will be effective after it is adopted by the Board of Selectmen.

POLICY

Recognizing the advantage of attracting, retaining and expanding Haddam's business base, it is the policy of the Town to retain, promote and attract business that compliment Haddam's historic character.

FIXED ASSESSMENT REQUEST

A party may request a fixed property tax assessment according to the General Statutes Section 12-65b and 12-65h by completing an application that will be available in the Land Use Office of the Town of Haddam.

In addition to the information provided in the application, the following must accompany the application:

1. Statement of Facts

A Statement of Facts should contain all relevant information about the transaction in question. Such facts include:

- A carefully detailed description of the nature and purpose of the investment made or to be made including the type of business enterprise the party will be engaged in.

The party must attach pertinent documents, but the relevant facts reflected in the documents must be included in the Statement of Facts. Documentation will include proof of ownership or other interest in the subject property, proof of total cost of acquisition and/or improvements of the property. The Statement of Facts must be in the form of an affidavit, under penalties of false statement, and must be signed by an individual who has personal knowledge of the facts.

PROCESSING APPLICATION

When the Land Use Office receives the complete application, including the Statement of Facts, signed by an individual, corporate officer of a corporation, or a member of an LLC, along with all documentation, it will be reviewed for completeness.

The Land Use Office will forward the complete application to the First Selectman, Board of Finance Chair, Tax Assessor and Tax Collector, and the Chairperson of the Economic Development Committee within seven (7) business days of receipt. Within fifteen (15) days of receipt by the First Selectman, the Board of Selectmen will receive any comments made by any of the foregoing. Thereafter, the Board of Selectmen will act on the application accordingly. If the Board of Selectmen chooses to take the application to a Town Meeting, it shall first cause a draft of a proposed written agreement, which will form the basis of the proposed agreement and will be discussed at a public hearing prior to going to a Town Meeting.

CONFIDENTIALITY

The various employees, elected officials and appointed members of committees of the Town shall treat the application and all documentation in strict confidence until there is a public hearing on the application.

GOVERNING LAW

The Policy Statement does not modify or supersede the Charter of the Town or the Connecticut General Statutes and will be implemented in accordance with applicable Charter and Connecticut Law.

Dated in Haddam, CT March 3, 2010