

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 23-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ ALASKA, AMENDING CHAPTER 3.12 OF THE VALDEZ MUNICIPAL CODE BY CREATING SECTION 3.12.055 TO PROVIDE FOR TAX ADJUSTMENTS ON PROPERTY AFFECTED BY A DISASTER

WHEREAS, pursuant to Alaska Statute 29.45.230, the City of Valdez ("City") may by ordinance provide for assessment or reassessment and reduction of taxes for property destroyed, damaged, or otherwise reduced in value as a result of a disaster; and

WHEREAS, an ordinance authorized under Alaska Statute 29.45.230 shall establish criteria for the reduction of taxes on property damaged, destroyed, or otherwise reduced in value as a result of disaster and may prescribe procedures, restrictions, and conditions for assessing or reassessing property and for remitting, refunding, or forgiving taxes; and

WHEREAS, the City Council desires to provide relief for property owners whose property has been affected by qualified disasters.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that::

Section 1. Section 3.12.055 is hereby enacted to read as follows:

**3.12.055 Tax adjustments for property affected by disaster.**

A. An owner of taxable property within the City, or an agent or assign of the property owner, whose property was damaged by a disaster, may apply for reassessment of that property under this section. This section shall not apply to oil and gas property as defined in AS 43.56.010 et seq.

B. For purposes of this section, "disaster" means the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property resulting from an incident such as storm, high water, tsunami, earthquake, volcanic eruption, landslide, mudslide, avalanche, fire, flood, or explosion.

C. Application for reassessment.

1. The application for reassessment describing the condition and value of the property immediately before and after the damage or destruction must be filed with the city clerk within one hundred and twenty days after the disaster. The application shall be in the form prescribed by the city clerk and the applicant must include with the application a sworn statement that the property losses exceed \$10,000.00.

2. If no application is made and the City Manager determines that within the calendar year, a property has suffered damage caused by a disaster that may qualify the property owner for relief under this section, the city clerk may provide the last known owner of the property with an application for reassessment. The property owner must file the completed application within sixty days of the date the application was mailed or otherwise provided to the property owner. The applicant must include with the application a sworn statement that the property losses exceed \$10,000.00.

3. Upon receiving a timely and completed application, the assessor shall inspect the property and verify the prior year's full and true value of land, improvements, or the proposed or certified current year's value immediately before and after the damage or destruction. Damages to land or improvements that do not appear on the assessment roll are not eligible for consideration under this section.

D. Notice of reassessment. The assessor shall notify the applicant in writing of the amount of the proposed reassessment. The notice shall state that the applicant may appeal the proposed reassessment to the board of equalization and that any notice of appeal must be filed within ten days after the date of mailing the notice.

E. Appeal. A property owner or agent or assign of the property owner may appeal to the board of equalization for relief from an alleged error in reassessment under this section by filing a written appeal with the city clerk specifying the grounds for appeal as required under section 3.12.110(B) within ten days after the mailing of the notice of assessment or reassessment. Otherwise, the right of appeal ceases unless the board finds that the taxpayer is unable to comply.

F. Tax adjustment. A reduction in taxes may be made only on losses in excess of \$10,000.00 for the remainder of the year following the disaster. On reassessment, the City shall recalculate the tax owed and refund the excess amount of taxes that have already been paid.

G. Effect of revised assessment. The assessed value of the property in its damaged condition shall be the taxable value of the property until December 31 of the year in which the disaster occurred. Thereafter,

the assessor shall determine the full and true value of the property in accordance with normal standards and methods for assessments.

Section 2. This ordinance shall become effective immediately upon passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF VALDEZ, ALASKA

\_\_\_\_\_  
Sharon Scheidt, Mayor

ATTEST:

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Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jake Staser, City Attorney  
Brena, Bell, & Walker, P.C.

Adoption:  
Yeas:  
Nays:  
Absent:  
Abstaining: