273.1321 VACANT COMMERCIAL INDUSTRIAL PROPERTIES.

Subdivision 1. **Authority.** A city may establish, by ordinance, a program to encourage redevelopment, provide for better utilization of commercial-industrial property, and eliminate blighting influences by revoking the eligibility of individual commercial-industrial properties to receive the credit authorized under section 273.1398, subdivision 4. The program may revoke eligibility of a property only if:

(1) the property has been vacant, as defined in subdivision 3, clause (1), (2), or (3), for three or more consecutive years prior to the current assessment year; or

(2) the property has been vacant as defined under subdivision 3, clause (4), for five or more consecutive years prior to the current assessment year.

Subd. 2. **Minimum program requirements.** The program must provide:

(1) standards for determining whether a property is vacant;

(2) written assessment notice by the city or county to the property owner informing the owner that the property's eligibility will be revoked;

(3) opportunity for the property owner to appeal the revocation at the local and county board of appeal and equalization;

(4) timely notice to the county assessor of the property's eligibility revocation, or if the city has a city assessor and the city assessor has revoked the property's eligibility; and

(5) any other provisions the city determines are necessary or appropriate to the operation of the program to achieve its purposes.

Subd. 3. **Definition of vacant.** A program established under this section may provide that a property is vacant if the property is:

(1) condemned, dangerous, or having multiple building code violations;

(2) condemned and illegally occupied;

(3) either occupied or unoccupied, during which time the enforcement officer for the municipality has issued multiple orders to correct nuisance conditions; or

(4) unoccupied and not utilized for a commercial or industrial purpose.

Subd. 4. **Notice to property owner.** The municipality shall give notice to the property owner stating that the property may cease to be eligible for the credit under section 273.1398, subdivision 4, unless the property is occupied, the conditions in subdivision 3, clauses (1) to (3), are remedied, and the property is used for a commercial or industrial purpose for at least 180 days during the next 12-month period.

History: *1Sp2005 c 3 art 1 s 17*