

## **IC 36-7-21**

### **Chapter 21. Special Improvement Districts for Redevelopment of Blighted Areas**

#### **IC 36-7-21-1**

##### **Application of chapter**

Sec. 1. This chapter applies to all units except townships.

*As added by P.L.380-1987(ss), SEC.20.*

#### **IC 36-7-21-2**

##### **Legislative finding**

Sec. 2. The general assembly finds that the redevelopment purposes for which special improvement districts may be established under this chapter constitute local public improvements.

*As added by P.L.380-1987(ss), SEC.20.*

#### **IC 36-7-21-3**

##### **Establishment of special improvement district; prerequisite findings**

Sec. 3. (a) A redevelopment commission may by resolution request the legislative body of the unit to establish a special improvement district for the purposes set forth in IC 36-7-15.1 with respect to counties having a consolidated city and in IC 36-7-14 with respect to all other eligible units.

(b) A special improvement district shall be established according to the procedures set forth for the establishment of allocation areas under IC 36-7-15.1 or IC 36-7-14, as applicable.

(c) In establishing the special improvement district, the legislative body must find that the projects to be undertaken in the district:

- (1) constitute local public improvements;
- (2) provide special benefits to property owners in the district; and
- (3) will be of public utility and benefit.

*As added by P.L.380-1987(ss), SEC.20.*

#### **IC 36-7-21-4**

##### **Resolution requesting establishment of district; contents**

Sec. 4. In the resolution requesting the legislative body to establish a special improvement district, the redevelopment commission shall include the following information:

- (1) A map of the boundaries of the proposed special improvement district, to include, if applicable, zone boundaries as prescribed by section 6 of this chapter.
- (2) The name and address of each parcel and owner of land within the district and a description of the existing land use and zoning classification of each parcel.
- (3) A detailed description of the proposed improvement its estimated cost, and the benefits expected to accrue to the property owners within the district.
- (4) A plan for the application of assessment revenue to the cost

of the project.

(5) A proposed apportionment of the annual assessment to the parcels of real property within the district, as prescribed by sections 5 and 6 of this chapter.

*As added by P.L.380-1987(ss), SEC.20.*

#### **IC 36-7-21-5**

##### **Apportionment of benefits; adjustment**

Sec. 5. Benefits shall be apportioned on a gross square footage basis or on any other basis reasonably representative of the diffusion of benefits and may be adjusted by zone and land use as provided for in section 6 of this chapter.

*As added by P.L.380-1987(ss), SEC.20.*

#### **IC 36-7-21-6**

##### **Benefit adjustment through establishment of multiple zone districts and land use management**

Sec. 6. (a) If the redevelopment commission finds that the benefit of the special improvement varies from one (1) area to another within the district, the commission may establish up to three (3) zones within the district to delineate the approximate difference in beneficial impact and may propose the apportionment of benefits accordingly. The redevelopment commission may exclude all or part of the area actually encompassed by the improvement.

(b) In order to encourage the retention or development of various land uses within the district, the redevelopment commission may adjust the assessment according to the zoning classification of the property.

*As added by P.L.380-1987(ss), SEC.20.*

#### **IC 36-7-21-7**

##### **Certification of scheduled assessments to county auditor; designation of assessment on property tax statement; judicial review of ordinance establishing district**

Sec. 7. (a) Upon the approval by the legislative body of the resolution establishing the special improvement district, the redevelopment commission shall certify the list of assessments apportioned under sections 5 and 6 of this chapter to the county auditor. The scheduled assessments shall be collected only insofar as the schedule of assessments has been approved by the legislative body.

(b) Within thirty (30) days after the county auditor receives the certification of final scheduled assessments for the completion of the special improvement, the auditor shall deliver a copy of the duplicate to the county treasurer. Each year the treasurer shall add to the tax statements of a person owning the property affected by an assessment, designating it in a manner distinct from general taxes, the full annual assessment due in the year the statement is sent.

(c) Any owner of the property to be assessed under the ordinance establishing the special improvement district is entitled to judicial

review of that ordinance in the circuit or superior court of the county in which the redevelopment commission is located.

*As added by P.L.380-1987(ss), SEC.20.*

**IC 36-7-21-8**

**Bonds or notes payable from special improvement assessments**

Sec. 8. Subject to the approval of the legislative body under IC 36-7-14 or IC 36-7-15.1, as applicable, the redevelopment commission may issue notes or bonds payable from the special improvement assessments. These assessments are not ad valorem property taxes, and any bonds issued and payable by the assessment revenues are not a general obligation of the unit that established the special improvement district.

*As added by P.L.380-1987(ss), SEC.20.*