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Tennessee Redevelopment

TITLE 13. PUBLIC PLANNING AND HOUSING CHAPTER 20. HOUSING AUTHORITIES PART 2. REDEVELOPMENT

13-20-201. Blighted areas and dilapidation defined

(a) "Blighted areas" are areas (including slum areas) with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use, or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

(b) As used in this chapter, "dilapidation" means extreme deterioration and decay due to lack of repairs to and care of the area.

13-20-202. Powers of housing authority as to blighted areas

(a) Any housing authority now or hereafter established under and pursuant to the provisions of this chapter (including any municipal housing authority whether created under and pursuant to the provisions of such law or of any special statute), may carry out any undertaking hereinafter called a "redevelopment project" and to that end may:

- (1) Acquire blighted areas;
- (2) Acquire other real property for the purpose of removing, preventing, or reducing blight, blighting factors, or the causes of blight;
- (3) Acquire real property where the condition of the title, the diverse ownership of the real property to be assembled, the street or lot layouts, or other conditions, prevent a proper development of the property and where the acquisition of the area by the authority is necessary to carry out a redevelopment plan;
- (4) Acting on its own or through third parties engaged to act on the housing authority's behalf:
 - (A) Clear any areas acquired, including relocation of utility facilities and demolition (in

whole or in part) of buildings and improvements thereon and removal or remediation of any environmental contamination;

(B) Install, construct, or reconstruct streets, utilities, and site improvements essential to the preparation and development of sites for uses in accordance with a redevelopment plan;

(C) Install, construct, or reconstruct parks, public open spaces, public playgrounds, pedestrian ways, and parking garages in accordance with a redevelopment plan; and

(D) Pay expenses for relocation, administrative costs, planning and engineering costs and legal expenses associated with exercising the powers granted in this section or with carrying out a redevelopment plan;

(5) Sell or lease land so acquired for uses in accordance with the redevelopment plan;

(6) Accomplish a combination of the foregoing to carry out a redevelopment plan;

(7) Have and enjoy all the rights, powers, privileges and immunities granted to housing authorities under such law, and/or under any special act by which the authority may have been created, and/or any other provisions of law relating to slum clearance and housing projects for persons of low income; and

(8) (A) Borrow money upon its bonds, notes or other evidences of indebtedness to finance any of the foregoing and to carry out a redevelopment plan and secure the same by pledges of its income and revenues generally or its income and revenues from a particular redevelopment project or projects, including moneys received by any authority and placed in a special fund or funds pursuant to tax increment financing provisions contained in a redevelopment plan, or from grants or contributions from any government, or in any other manner.

(B) Nothing contained in § 13-20-113, § 13-20-413 and/or in any special municipal housing authorities law shall be construed as limiting the power of an authority, in the event of default by a purchaser or lessee of land in a redevelopment plan, to acquire property and operate it free from restrictions contained in §§ 13-20-113 and 13-20-413, or in any special statute as aforementioned relating to tenant selection or operation without profit.

(b) For the purposes of this section and the implementation of redevelopment districts as delineated in §§ 13-20-201 -- 13-20-205, community development agencies as defined in the Community Development Act of 1974, as amended, of municipalities, will also be considered as housing authorities and will have vested in them the powers as delineated in this section in which housing authority redevelopment powers are vested, as long as public notice required in § 13-20-203 is provided. The provisions of this subsection (b) apply only in counties with populations greater than eight hundred thousand (800,000) according to the 1990 federal census or any subsequent federal census and in counties with populations greater than one hundred thirty-four thousand seven hundred (134,700) and less than one hundred thirty-four thousand eight hundred (134,800) according to the 2000 federal census or any subsequent federal census.

(c) For the purposes of this section and the implementation of redevelopment districts as delineated in this part, a development authority established by private act by any municipality located in more than one (1) county, the majority population of which resides in any county having a population of not less than one hundred seven thousand one hundred (107,100) nor more than one hundred seven thousand two hundred (107,200), according to the 2000 federal census or any subsequent federal census, shall also be considered a housing authority and shall have vested in the housing authority the powers as delineated in § 4-17-302(2) and this section, in which housing authority redevelopment powers are vested, as long as public notice required in § 13-20-203 is provided. The powers of the authority created pursuant to any such private act are hereby expanded to specifically include all powers that housing authorities have pursuant to this part.

13-20-203. Conditions precedent to initiation of redevelopment project -- Approval by municipality of plan

(a) The provisions of this subsection shall apply to counties with a metropolitan form of government and with populations greater than seven hundred seventy thousand (770,000) according to the 1980 federal census or any subsequent federal census.

(1) An authority shall not initiate any redevelopment project under this chapter until the governing body (or agency designated by it or empowered by law so to act) of each city or town (herein called "municipalities") and any county having a population of not less than two hundred seventy-five thousand (275,000) nor more than three hundred twenty-five thousand (325,000) according to the 1980 federal census or any subsequent federal census in which any of the area to be covered by the project is situated, has approved a plan (herein called the "redevelopment plan") which provides an outline for the development or redevelopment of the area and is sufficiently complete, to:

(A) Indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements;

(B) Indicate proposed land uses and building requirements in the area; and

(C) Indicate the method of the temporary relocation of persons living in such areas, and also the method of providing (unless already available) decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be cleared from the area, at rents within the financial reach of the income groups displaced from such substandard dwellings. Such municipalities are hereby authorized to approve redevelopment plans through their governing body or agency designated by it for that purpose. Any state public body referred to in § 13-20-110 has the rights and powers to cooperate with and assist housing authorities with respect to redevelopment projects in the same manner as though the provisions of the section were applicable to redevelopment projects.

(2) Any disapproval of any redevelopment project by the governing body of a county as authorized by this section shall, however, be automatically dissolved wherever written agreement

duly approved by the governing body of the municipality involved is furnished to the county governing body involved, which agreement shall exempt the county property tax levy and all proceeds from it generated within the redevelopment project from the tax increment financing provisions specified in § 13-20-205(a)(2).

(3) The governing body shall not approve a plan until after a public hearing has been held by the governing body (or agency designated by it or empowered by law so to act) to determine the necessity for the adoption of the plan, including the matters set forth in subdivisions (a)(1)(A)-(C). Notice of such public hearing shall be given in the following manner:

(A) By publishing once a week for three (3) consecutive weeks immediately preceding the public hearing in each newspaper of general circulation published in the municipality notice of the time, place, and purpose of the public hearing, which notice shall include a facsimile of a map of the area to be included in the plan, with the streets or other lines marking the boundaries thereof clearly indicated, and which map shall be not less than four (4) columns in width; and

(B) By written notice to at least one (1) of the owners or at least one (1) of the occupants of each parcel of property within the area to be included within the plan of the time, place and purpose of such public hearing, which notice shall be sent not more than thirty (30) days and not less than ten (10) days before the hearing by mail, postage prepaid, or delivered, to such owners or occupants.

(4) The failure to give the notice required in subdivisions (a)(3)(A) and (B) may be raised only by an owner or occupant having an interest in property within such area as a defense on the trial of the issue of the right of the housing authority to acquire the property of such owner or occupant by eminent domain, and such failure shall constitute a defense unless in the judgment of the court trying such issue there has been compliance with subdivision (a)(3)(A) and substantial compliance with subdivision (a)(3)(B) by mailing or delivering the notice therein provided to at least one (1) owner or one (1) occupant of each of not less than two thirds (2/3) of the lots or parcels of property within such area.

(b) The provisions of this subsection shall not apply to counties with a metropolitan form of government and with populations greater than seven hundred seventy thousand (770,000) according to the 1980 federal census or any subsequent federal census.

(1) An authority shall not initiate any redevelopment project under this chapter until the governing body (or agency designated by it or empowered by law so to act) of each city or town (hereafter called "municipalities"), and any county in which any of the area to be covered by such project is situated, has approved a plan (herein called the "redevelopment plan") which provides an outline for the development or redevelopment of such area and is sufficiently complete to:

(A) Indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements;

(B) Indicate proposed land uses and building requirements in the area; and

(C) Indicate the method of the temporary relocation of persons living in such areas, and also the method of providing (unless already available) decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be cleared from the area, at rents within the financial reach of the income groups displaced from such substandard dwellings.

(2) Any disapproval of any redevelopment project by the governing body of a county as authorized by this section shall, however, be automatically dissolved wherever written agreement duly approved by the governing body of the municipality involved is furnished to the county governing body involved, which agreement shall exempt the county property tax levy, and all proceeds from it generated within the redevelopment project, from the tax increment financing provisions specified in § 13-20-205(a)(2).

(3) The governing body shall not approve a plan until after a public hearing has been held by the governing body (or agency designated by it or empowered by law so to act) to determine the necessity for the adoption of the plan, including the matters set forth in subdivisions (b)(1)(A)-(C). Notice of such public hearing shall be given in the following manner:

(A) By publishing once a week for three (3) consecutive weeks immediately preceding the public hearing in each newspaper of general circulation published in the municipality notice of the time, place, and purpose of the public hearing, which notice shall include a facsimile of a map of the area to be included in the plan with the streets or other lines marking the boundaries thereof clearly indicated, and which map shall be not less than four (4) columns in width; and

(B) By written notice to at least one (1) of the owners or at least one (1) of the occupants of each parcel of property within the area to be included within the plan of the time, place and purpose of such public hearing, which notice shall be sent not more than thirty (30) days and not less than ten (10) days before the hearing by mail, postage prepaid, or delivered, to such owners or occupants.

(4) The failure to give the notice required in subdivisions (b)(3)(A) and (B) may be raised only by an owner or occupant having an interest in property within such area as a defense on the trial of the issue of the right of the housing authority to acquire the property of such owner or occupant by eminent domain, and such failure shall constitute a defense unless in the judgment of the court trying such issue there has been compliance with subdivision (b)(3)(A) and substantial compliance with subdivision (b)(3)(B) by mailing or delivering the notice therein provided to at least one (1) owner or one (1) occupant of each of not less than two thirds (2/3) of the lots or parcels of property within such area.

13-20-204. Disposal and use of land consistent with redevelopment plan -- Purchase by owner occupant

(a) The authority may make land in a redevelopment project available for use by private enterprise or public agencies in accordance with the redevelopment plan. Such land may be made

available at its use value, which represents the value (whether expressed in terms of rental or capital price) at which the authority determines such land should be made available in order that it may be developed or redeveloped for the purposes specified in such plan.

(b) (1) To assure that land acquired in a redevelopment project is used in accordance with the redevelopment plan, an authority, upon the sale or lease of such land, shall obligate purchasers or lessees to:

(A) Use the land for the purpose designated in the redevelopment plan;

(B) Begin the building of their improvements within a period of time which the authority fixes as reasonable; or, except in counties having a population of:

not less than	nor more than
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23,751	23,759
25,501	25,999
28,600	28,650
44,000	45,999

according to the 1960 federal census or any subsequent federal census, if the purchaser is a public agency which proposes to develop such lands as an industrial park or to meet the needs of specific industrial prospects, carry on a program for attracting industry and develop such land for this purpose when and as needed, in counties of this state having a population of not less than two hundred thirty seven thousand (237,000) nor more than two hundred fifty thousand (250,000) according to the federal census of 1960 or any subsequent federal census; and

(C) Comply with such other conditions as are necessary to carry out the purposes of this chapter.

(2) Any such obligations by the purchaser shall be covenants and conditions running with the land where the authority so stipulates.

(c) (1) As used in this subsection:

(A) "Developer" means any private enterprise or public agency developing or redeveloping residential property as provided in this subsection;

(B) "Owner occupant" means the person having title to and residing at the residential property at the time it was acquired by eminent domain; and

(C) "Residential units" includes one-family and two-family dwellings and dwelling units as defined in this chapter.

(2) On redevelopment projects developed after June 8, 1989, the authority shall provide the opportunity for owner occupants of residential property acquired by eminent domain for a

redevelopment project to relocate within the project area if or at such time as residential units are constructed and offered for sale to the general public as a part of the project. A developer shall publish a notice in a newspaper of general circulation within the county where the project area is located. Such notice shall provide to each owner occupant of residential property acquired by eminent domain for a redevelopment project an offer to relocate within the project area. The notice shall contain a description of the property to be redeveloped. The notice shall contain a name and address to whom the owner occupant may respond to accept the offer. The developer shall also record the notice in the registrar's office. Each owner occupant shall have ninety (90) days from the date of publication to accept the offer contained in the notice. Any acceptance shall be in writing. Any owner occupant who has not responded to the notice before the expiration of the ninety (90) days from publication shall be deemed to have rejected such offer, and any interest therein shall be deemed to be terminated.

(3) The provisions of this subsection shall apply only if the initial redevelopment project for which such property is acquired is for residential purposes.

(4) No provision of this subsection shall be construed to vest any interest or rights in the heirs or estate of any deceased owner occupant.

(5) The provisions of this subsection shall not apply to residential units or dwelling units developed under programs limiting income of purchasers to a certain maximum income or other requirements for which the original owner occupant is not eligible.

(6) The provisions of this subsection shall only apply in counties having a population of not less than four hundred seventy-seven thousand (477,000) nor more than four hundred seventy-eight thousand (478,000) according to the 1980 federal census or any subsequent federal census.

13-20-205. Redevelopment plan containing tax increment financing provisions -- Allocation of taxes collected -- Contents of plan -- Tax status of property leased

(a) Any authority may, and is hereby authorized to, adopt a redevelopment plan or to amend an existing redevelopment plan so that it contains a tax increment financing provision providing that taxes, if any, levied upon property leased or sold to individuals or corporations for development in a redevelopment project each year, by any taxing agency after the effective date of the resolution of the governing body approving such redevelopment plan or amendment, shall be divided as follows:

(1) That portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency, upon the assessed value of such property as shown upon the assessment roll of the appropriate assessor, as of the date of the most recently determined valuation prior to the acquisition of such property by the authority (the assessed value being herein called the "base assessment") shall be allocated to, and when collected, shall be paid to, the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; provided, that in any year in which the actual assessment of the area comprising a redevelopment project is less than the base assessment, there shall be allocated and paid to the respective taxing agencies only those taxes actually produced by the application of the current

tax rates against such actual assessment;

(2) All the taxes levied in each year in excess of the amount provided for in subdivision (a)(1) shall be allocated to and, when collected, shall be paid into a special fund or funds of the authority to pay the principal of and interest on bonds, loans or other indebtedness incurred or to be incurred by the authority to finance or refinance, in whole or in part, the redevelopment project contemplated by such redevelopment plan;

(3) Upon the retirement of all bonds, loans or other indebtedness incurred by the authority and payable from such special fund or funds or at such time as moneys on deposit in such special fund or funds are sufficient for such purpose, all the taxes referred to in subdivision (a)(2) shall, when collected, be paid to the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; and

(4) Taxes shall be levied and collected over all or any part of the area comprising a redevelopment project in the manner provided by law with the following exceptions:

(A) The appropriate assessor shall, in each year during the period in which taxes are to be allocated to the authority pursuant to subdivision (a)(2), compute and certify the net amount, if any, by which the then current assessed value of all taxable property located within the redevelopment project which is subject to taxation by the particular taxing agency exceeds the base assessment. The net amount of any such increase is referred to in this subdivision (a)(4) as the incremental value for that particular year;

(B) In any year in which taxes are to be allocated to the authority pursuant to subdivision (a)(2) in which there is an incremental value, the appropriate assessor shall exclude it from the assessed value upon which the appropriate assessor computes the tax rates for taxes levied that year by the taxing agency. However, the appropriate assessor shall extend the aggregate tax rate of such taxes against the base assessment and the incremental value and shall apply the taxes collected therefrom, subject to any other provisions hereof, as provided above; and

(C) For purposes of this section, if in any year property comprising a portion of a particular redevelopment project shall be removed from the tax rolls of a taxing agency, the base assessment for the area of such redevelopment project shall be reduced by the amount of the base assessment allocable to the property so removed for each subsequent year in which taxes are to be allocated to a particular authority pursuant to the above provisions.

(b) (1) If an authority adopts a redevelopment plan or an amendment to an existing plan which includes tax increment financing provisions, such new plan or the existing plan, as so amended, shall describe, in addition to the matters required by § 13-20-203 (a)(1)(A)-(C) and (b)(1)(A)-(C), the following:

(A) An estimate of the cost of the redevelopment project;

(B) The sources of revenue to finance the costs of the project, including the estimated tax increment;

(C) An estimate of the amount and the final maturity of bonded or other indebtedness to be incurred; and

(D) An estimate of the impact of the tax increment financing provision upon all taxing agencies in which the redevelopment project is to be located.

(2) The foregoing information set forth in this subsection shall be made available to the public not less than five (5) days prior to the date set for the public hearing hereinafter required by subsection (c).

(c) (1) Except in counties having a metropolitan form of government or a population greater than seven hundred seventy thousand (770,000) according to the 1980 federal census or any subsequent federal census, no redevelopment plan containing a tax increment financing provision or amendment to an existing plan adding a tax increment financing provision shall be effective unless and until it has been approved by the governing body of the municipality and the governing body of the county affected, following a public hearing as provided in § 13-20-203, except that the approval of the governing body of the county affected shall not be required wherever its disapproval of a redevelopment project has been dissolved as prescribed by the provisions of § 13-20-203(b)(1).

(2) The notice of the public hearing shall be given in the manner and shall contain the information required by § 13-20-203 and shall additionally set forth in clear and plain language the contemplated use of tax increment financing in connection with the redevelopment project. Such notice shall also set forth where the information required by subsection (b) may be obtained. Not less than twenty-one (21) days prior to the date set for the public hearing, the governing body shall deliver or mail, postage prepaid, to each taxing agency currently levying taxes upon any property in the project area, and which would be affected by the tax increment financing provision, a copy of the notice of the public hearing, together with a statement that if the redevelopment plan containing a tax increment financing provision or amendment to an existing plan adding a tax increment financing provision is approved, certain property taxes resulting from increases in assessed valuation of property situated within the area included in the plan above the assessed value of such property appearing on the appropriate assessment rolls as last determined prior to the acquisition of such property by the authority may be allocated to a special fund or funds of the authority for redevelopment purposes rather than being paid into the treasury of the taxing agency.

(d) The foregoing provisions of subsections (b) and (c) shall not apply to any redevelopment plan or amendment to an existing plan which included a tax increment financing provision and which has been submitted to and approved by the governing body of the municipality (or agency designated by it or empowered by law so to act) in which any of the area to be covered by the redevelopment project is situated pursuant to and in accordance with the provisions of § 13-20-203 prior to April 11, 1978, and the previously approved redevelopment plan or amendment thereto described above shall not be required to be resubmitted and approved by the governing body (or agency) pursuant to the additional provision of subsections (b) and (c). The remaining provisions of this section shall be applicable to and govern the previously approved plan and the

tax increment financing provision contained in such plan.

(e) After the approval by the governing body of a redevelopment plan containing a tax increment financing provision or an amendment to an existing plan adding a tax increment financing provision, the clerk or other recording official of such municipality shall transmit to the appropriate tax assessors and to each taxing agency to be affected, a copy of the description of all land within the redevelopment area and the date or dates of its acquisition by the authority, a copy of the description of all property leased or sold to individuals or corporations for development in the redevelopment area, a copy of the resolution approving the redevelopment plan or approving an amendment thereto, and a map or plat indicating the boundaries of such property, and taxes shall thereafter, when collected, be allocated and paid in the manner provided in such redevelopment plan or amendment to such plan.

(f) Any property which the authority leases to private individuals or corporations for development under a redevelopment plan and any property which the authority has developed under a redevelopment plan and leases to private individuals or corporations shall have the same tax status as if such leased property were owned by such private individuals or corporations. After June 1, 1997, the foregoing provisions of this subsection shall apply only to property financed with tax increment financing. Prior to June 1, 1997, any property owned, constructed, or improved by the authority which is not financed through tax increment financing shall have the same tax status as all other property owned by the authority.

(g) Notwithstanding anything to the contrary in this section, taxes levied upon property subject to tax increment financing provisions by any taxing agency for the payment of principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the state of Tennessee, shall not be subject to allocation as provided in subsection (a), but shall be levied against such property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

13-20-206. Authority authorized to obtain financial aid from federal government for redevelopment project

An authority may borrow money or accept contributions from the federal government to assist in its undertaking redevelopment projects. An authority may do any and all things necessary or desirable to secure such financial aid (including obligating itself in any contract with the federal government for annual contributions to convey to the federal government the project to which the contract relates upon the occurrence of a substantial default thereunder), in the same manner as it may do to secure such aid in connection with slum clearance and housing projects under the provisions of this chapter.

13-20-207. Bonds for redevelopment projects -- Security for public deposits and legal investments

Bonds or other obligations issued by a housing authority in connection with a redevelopment project pursuant to §§ 13-20-201 -- 13-20-208 shall be security for public deposits and legal investments to the same extent and for the same persons, institutions, associations, corporations,

and other bodies and officers as bonds or other obligations issued pursuant to this chapter, in connection with the development of slum clearance or housing projects.

13-20-208. Advisory board -- Personnel

For the purpose of coordinating its activities and undertakings under §§ 13-20-201 -- 13-20-208 with the needs and undertakings of other local organizations and groups, a housing authority may establish an advisory board consisting of the chair of the authority (who shall be chair of the advisory board) and of sufficient members to represent, so far as practicable, the general public and users of housing, general business interests, real estate, building and home financing interest, labor, any official planning body in the locality, and church and welfare groups. The members of the advisory board shall be appointed by the chair of the authority.

13-20-209. Conservation and rehabilitation by private enterprise -- Findings

(a) It is hereby found and declared that:

(1) There exist in municipalities of the state slum, blighted, and deteriorated areas which constitute a serious and growing menace, injurious to the public health, safety, morals and welfare of the residents of the state, and the findings and declarations made in § 13-20-201 with respect to slum and blighted areas are hereby affirmed and restated;

(2) Certain slum, blighted, or deteriorated areas, or portions thereof, may require acquisitions and clearance, as provided in this part, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation, but other areas or portions thereof may, through the means provided in this part, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented, and, to the extent feasible, salvable slum and blighted areas should be conserved and rehabilitated through voluntary action and the regulatory process; and

(3) All powers conferred by this part are for public uses and purposes for which public money may be expended and such other powers exercised, and the necessity in the public interest for the provisions of this part is hereby declared as a matter of legislative determination.

(b) A municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this part, shall afford maximum opportunity, consistent with the sound needs of the municipality as a whole, to the rehabilitation or redevelopment of areas by private enterprise.

13-20-210. Urban renewal projects -- Extent of rehabilitation

In addition to its authority under any other section of this part, an authority is hereby authorized to plan and undertake urban renewal projects. As used in this part, an urban renewal project may include undertakings and activities for the elimination (and for the prevention of the development or spread) of slums or blighted, deteriorated, or deteriorating areas, and may involve any work or undertaking for such purpose constituting a redevelopment project of any rehabilitation or conservation work, or any combination of such undertaking or work. For this

purpose, "rehabilitation or conservation work" may include:

- (1) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;
- (2) Acquisition of real property and demolition, removal, or rehabilitation of buildings and improvements thereon where necessary to eliminate unhealthy, unsanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, or to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities;
- (3) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project; and
- (4) The disposition, for uses in accordance with the objectives of the urban renewal project, of any property or part thereof acquired in the area of such project; provided, that such disposition shall be in the manner prescribed in this part for the disposition of property in a redevelopment project area.

13-20-211. Urban renewal plan

(a) Any urban renewal project undertaken pursuant to § 13-20-210 shall be undertaken in accordance with an urban renewal plan for the area of the project. As used in this part, "urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan:

- (1) Shall conform to the general plan for the municipality as a whole; and
 - (2) Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the area of the urban renewal project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.
- (b) An urban renewal plan shall be prepared and approved pursuant to the same procedure as provided in this part with respect to a redevelopment plan.

13-20-212. Powers of authority -- Acquiring property -- Bond issues

(a) An authority has all the powers necessary or convenient to undertake and carry out urban renewal plans and urban renewal projects, including the authority to acquire property by eminent domain or purchase, and to dispose of property, to issue bonds and other obligations, to borrow and accept grants from the federal government or other source and to exercise the other powers which this part confers on an authority with respect to redevelopment projects. In connection with the planning and undertaking of any urban renewal plan or urban renewal project, the

authority, the municipality, and all public and private officers, agencies, and bodies have all the rights, powers, privileges, and immunities which they have with respect to a redevelopment plan or redevelopment project, in the same manner as though all of the provisions of this part applicable to a redevelopment plan or redevelopment project were applicable to an urban renewal plan or urban renewal project; provided, that for such purpose, "redevelopment" as used in this part (except in this section and in the definition of "redevelopment project" in § 13-20-202) means "urban renewal"; and provided further, that "slum" and "blighted," as used in this part (except in this section and in the definitions in § 13-20-201), mean "blighted, deteriorated, or deteriorating." This section shall not change the corporate name of the authority of the short title of this part or amend any section of this part. In addition to the surveys and plans which an authority is otherwise authorized to make, an authority is hereby specifically authorized to make:

(1) Plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and

(2) Plans for the enforcement of laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

(b) The authority is authorized to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight.

(c) Whenever the power of eminent domain as herein conferred shall be exercised, in estimating the damages, the jury or jury of view, as the case may be, shall give the value of the land or rights taken without deduction, together with incidental damages, if any. Where the removal of furniture, household belongings, fixtures, merchandise, stock in trade, inventories, equipment or machinery is made necessary by the taking, the reasonable expense of such removal shall be considered in assessing incidental damages. The reasonable expense of the removal of such chattels shall be construed as including the cost of: any necessary disconnection, dismantling or disassembling; the loading and drayage to another location not more than ten (10) miles distant; and the reassembling, reconnecting, and installing in such new location. This provision shall only apply when the power of eminent domain is exercised under the provisions of this section.

13-20-213. Delegation of powers -- Bond issues

(a) Any municipality or other public body is hereby authorized (without limiting any provision in § 13-20-212) to do any and all things necessary to aid and cooperate in the planning and undertaking of an urban renewal project in the area in which such municipality or public body is authorized to act, including the furnishing of such financial and other assistance as the municipality or public body is authorized by this part to furnish for or in connection with a redevelopment plan or redevelopment project.

(b) (1) An authority is hereby authorized to delegate or assign to a municipality or other public body any or all of the powers or functions of the authority with respect to the planning or undertaking of an urban renewal project or projects in the area in which such municipality or

public body is authorized to act, and/or to assign, transfer, and/or convey to any such municipality or public body any or all of its rights with respect to or interest in one (1) or more urban renewal projects, and such municipality or public body is hereby authorized to carry out or perform such powers or functions in the place and stead of the authority.

(2) In addition, for a period commencing on May 22, 1984, and ending eighteen (18) months thereafter, an authority is hereby authorized to delegate or assign to a municipality any or all of the powers or functions of the authority with respect to the financing of an urban renewal project or projects, including, but not limited to:

(A) The issuance of bonds or other obligations for any purpose for which the authority could issue its bonds with respect to any such project or projects;

(B) The assumption of any bonds or other obligations of the authority with respect to any such project or projects;

(C) The issuance of bonds or other obligations for the purpose of refunding any bonds or other obligations issued by the authority or issued or assumed by the municipality pursuant to the delegation and assignment of powers herein contained;

(D) The receipt and collection of those tax revenues described in § 13-20-205(a)(2); and

(E) The pledging of such revenues to the payment of principal of and interest on bonds or other obligations issued by the municipality pursuant to such delegation and assignment.

(c) Upon the expiration of a period commencing on May 22, 1984, and ending eighteen (18) months thereafter, an authority shall no longer have the authority granted herein to delegate or assign any powers or functions relative to financing of urban renewal projects, and no municipality shall have the authority granted herein to issue or assume any bonds or obligations; provided, that the expiration of such authorization shall not invalidate or make unenforceable any bonds or other obligations issued or assumed by a municipality pursuant to any such delegation or assignment by an authority, nor impair the authority of a municipality to issue, as set forth herein, bonds or other obligations to refund any bonds or other obligations issued or assumed by the municipality pursuant to such delegation or assignment, nor impair the obligations of contract of a municipality with respect to any outstanding bonds or other obligations issued or assumed by the municipality pursuant to such assignment and delegation, nor impair the authority of a municipality to receive and collect tax revenues described in § 13-20-205(a)(2) and apply any such revenues to the payment of any such bonds or other obligations. This section does not apply in counties with populations greater than eight hundred thousand (800,000) according to the 1990 federal census or any subsequent federal census.

(d) The delegation or assignment of any of the powers or functions of an authority with respect to any urban renewal projects, including the delegation of powers or functions relative to financing of urban renewal projects during the period hereinabove described, or the assignment, transfer or conveyance of any such projects as provided herein shall not require an amendment to any existing urban renewal plan or plans adopted in connection with any such project or projects.

(e) (1) Notwithstanding the provisions of §§ 6-57-301 [repealed] and 6-57-302 [repealed] or any other provision of law to the contrary, any bonds or other obligations issued or assumed by any municipality pursuant to the delegation and assignment hereinabove described shall be authorized, issued, and sold in accordance with part 6 of this chapter and secured by and payable from such revenues as provided in part 6 of this chapter, which part shall constitute full, complete, and independent authority for the issuance of such bonds or other obligations by the municipality, as fully and with the same power as the authority could have issued such bonds or obligations; provided, that any bonds or other obligations issued by a municipality to refund any bonds or other obligations, other than bond anticipation notes, issued by the authority or issued or assumed by the municipality pursuant to the delegation and assignment hereinabove set forth shall be issued in accordance with the provisions of title 9, chapter 21. Notwithstanding the provisions of § 13-20-601, or any other provision of law to the contrary, any such municipality shall be authorized to secure the bonds or other obligations by pledging its full faith and credit and unlimited taxing power to the punctual payment of the principal of and interest on such bonds or obligations.

(2) In the event such pledge of full faith and credit and unlimited taxing power of the municipality is given, prior to the issuance and sale of any such bonds, the municipality shall comply with title 9, chapter 21.

(3) In the event such pledge of full faith and credit and unlimited taxing power of the municipality is given, any holder or holders of the bonds or obligations, including a trustee or trustees for holders of such bonds or obligations, shall have the right, in addition to all other rights, by mandamus or other suit, action or proceeding in any court of competent jurisdiction to enforce such rights of such holder or holders against the municipality, and the governing body of such municipality and any officer, agent or employee thereof, including, but not limited to, the right to require the municipality and the governing body and any proper officer, agent or employee thereof, to assess, levy and collect taxes and other revenues and charges adequate to carry out any agreement as to, or pledge of, such taxes, revenues and charges. The taxes herein authorized to be pledged shall be levied without limit as to rate or amount upon all taxable property within the municipality.

(f) Any public body is hereby authorized to enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with any other public body or bodies respecting action to be taken pursuant to any of the powers granted by this part, including the furnishing of funds or other assistance in connection with an urban renewal plan or urban renewal project.

13-20-214. Development of program by municipality -- Authorization

The governing body of the municipality, or such public officer or public body as it may designate, is hereby authorized to prepare a workable program (which may include an official plan of action, as it exists from time to time for effectively dealing with the problem of urban slums and blighted, deteriorated, or deteriorating areas within the community and for the establishment and preservation of a well-planned community with well-organized residential

neighborhoods of decent homes and suitable living environment for adequate family life) for utilizing appropriate private and public resources to eliminate, and prevent the development or spread of, slums and urban blight and deterioration, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated, or slum areas, or to undertake such of the aforementioned activities or other feasible activities as may be suitably employed to achieve the objectives of such a program.

13-20-215. Powers are supplemental

The powers conferred by §§ 13-20-209 -- 13-20-215 shall be in addition and supplemental to the powers conferred by any other law.

13-20-216. Notice to property owner of proposed acquisition

(a) Whenever the acquisition of any real property in a designated blighted area is proposed and is predicated solely upon the findings that the structure or structures involved are dilapidated and are in violation of the applicable building and housing codes, the owner of the property shall be notified of the planned acquisition by certified mail to the owner's latest address of record, and the owner shall be accorded a reasonable time, in no case less than ninety (90) days from the date of the notice, to bring the substandard structure into compliance with such codes.

(b) The provisions of this section shall not apply in any county having a metropolitan form of government or in any county with a population of:

not less than -----	nor more than -----
6,125	6,225
14,925	14,940
15,675	15,775
56,000	56,100
85,725	85,825
287,700	287,800
700,001	

according to the 1980 federal census or any subsequent federal census.

13-20-217. Airport noise mitigation programs

(a) Notwithstanding any law to the contrary, in addition to those powers specified in this chapter, any municipal housing authority exercising any of the powers specified in this chapter is hereby authorized to enter into cooperative agreements, with any county with a metropolitan form of government which adopts an airport noise mitigation program pursuant to § 7-3-313, to implement or administer the airport noise mitigation program or any portion thereof.

(b) No state funds shall be obligated or expended to implement the provisions of this section.