

VIRGINIA: At the regular meeting of the Board of Supervisors of Patrick County, Virginia held at Stuart Virginia on August 14, 2017, the following Ordinance was proposed for its adoption at the regular meeting of the Board of Supervisors of Patrick, County, Virginia to be held on October 16, 2017.

AN ORDINANCE ENTITLED: "ELDERLY AND HANDICAPPED TAX RELIEF" PURSUANT TO SECTION 58.1-3210 et seq. OF THE 1950 CODE OF VIRGINIA, AS AMENDED:

BE IT ORDAINED by the Board of Supervisors of Patrick County, Virginia, as follows:

A real estate tax exemption is provided for qualified property owners, who are sixty-five (65) years of age or older and/or 100% disabled and who are eligible according to the terms of this Ordinance. Persons qualifying for exemption are hereby deemed to be bearing an extraordinary real estate tax burden in relation to their income and financial worth.

DEFINITIONS:

For the purposes of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Affidavit: shall mean the real estate tax exempt affidavit (a sworn statement in writing).

County: shall mean County of Patrick, Virginia.

Board: shall mean the Board of Supervisors of Patrick County, Virginia.

Dwelling: shall mean the sole full time residence of the person or persons claiming exemption.

Exemption: shall mean exemption from the County of Patrick real estate tax according to the provisions of this Ordinance.

Property: shall mean real property and manufactured homes as defined in Section 36-85.3 of the 1950 Code of Virginia, as amended.

Calendar Year: shall mean the calendar year, from January 1 until December 31, for which exemption is claimed.

EFFECTIVE DATE:

The terms and provisions of this Ordinance shall become effective on December 31, 2017 and for real estate taxes levied for the year 2018.

ADMINISTRATION OF THE EXEMPTION:

The exemption shall be administered by the Commissioner of Revenue of Patrick County, Virginia, according to the provisions of the Ordinance. The Commissioner of Revenue is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations in conformity with the provisions of this Ordinance, including the requirement of answers under oath, as may be reasonably necessary to determine qualifications for exemption as specified by this Ordinance. The Commissioner of Revenue may require the production of certified tax returns and appraisal reports to establish income or financial worth, together with a written application in such form as the Commissioner may prescribe.

REQUIREMENTS FOR EXEMPTION:

Exemption shall be granted to persons subject to the following provisions:

1. The title of the property for which exemption is claimed is held on January 1 of the taxable year, by the person or persons claiming exemption, and is occupied by him as his sole dwelling. Persons possessing a life estate by will or deed may qualify for the exemption. Persons living in a manufactured home must have title to the home to qualify.

2. The person claiming the exemption is sixty-five (65) years or older, or 100% disabled, on December 31 of the year immediately preceding the taxable year.

3. The gross combined income of the owner(s) during the year immediately preceding the taxable year shall be in an amount not to exceed \$24,000.00 dollars. Gross combined income shall include all income from all sources (excluding life insurance) of the owner(s) and any other person living in the dwelling for which the exemption is claimed.

4. The total combined financial net worth of the owner(s) as of December 31 of the year immediately preceding the taxable year shall be in an amount not to exceed \$100,000.00 dollars. Total net financial worth shall include the value of all assets, including equitable interest, of the owner(s) and an owner's spouse, but shall exclude up to \$100,000.00 of the combined fair market value of the dwelling and the land upon which it is situated, not exceeding one acre, for which exemption is claimed. The cash value of life insurance policies shall be excluded from financial worth.

CLAIMING OF EXEMPTION:

Exemptions shall be claimed as follows:

1. The person or persons claiming the exemption must file a real estate tax exemption affidavit with the Commissioner of Revenue annually, on and after January 2 and not later than March 1 of the taxable year.
2. The affidavit shall set forth, in a manner prescribed by the Commissioner of Revenue, the names of all persons occupying the dwelling for which exemption is claimed and a statement that their total combined income from all sources (excluding life insurance), and their net worth, including equitable interest, does not exceed the limits set forth above.
3. If after appropriate consideration and investigation, the Commissioner of Revenue determines that the person or persons are qualified for exemption, he shall so certify to the Treasurer of the County, who shall deduct the amount of the exemption from the claimant's real estate tax liability.
4. Owners claiming the exemption must have paid in full all prior real estate taxes due in the County.

AMOUNT OF EXEMPTION:

The maximum amount of the exemption shall be \$300.00.

CHANGES IN STATUS:

Changes in respect to income, financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided in this Ordinance shall nullify any relief of real estate tax liability for the then current taxable year and the taxable year immediately following.

VIOLATIONS:

Any person or persons falsely claiming an exemption, or giving false information relative to application for exemption or false answers to questions lawfully propounded for use in such application shall be guilty of a class 4 misdemeanor, and, in addition, shall forfeit any tax exemption claimed for the then current year and the taxable year immediately following.