

ORDINANCE AMENDING AND RE-ENACTING  
SECTIONS 4-2-21 4-2-22, AND 4-2-23(3), 4-2-24(a) and 4-2-25 – REAL PROPERTY TAX  
EXEMPTION, OF THE CODE OF ORDINANCES  
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of Harrisonburg, Virginia:**

**The following Sections be amended as shown:**

**Sec. 4-2-21. - Exemption authorized.**

A tax exemption for real estate and for mobile homes which are located on land owned by the applicant is provided for qualified property owners who are not less than sixty-five (65) years of age, or permanently and totally disabled, as defined in section ~~59-760.1, paragraph (3)(e)~~[58.1-3217](#) of the Code of Virginia, as amended to date, and who are eligible according to the terms of this chapter and section ~~58-760.1~~[58.1-3210](#) of the 1950 Code of Virginia, as amended to date. Persons qualifying for exemption are deemed to be bearing an extraordinary real estate tax burden in relation to their income and financial worth.

**Sec. 4-2-22. - Administration.**

The exemption shall be administered by the commissioner of the revenue according to the provisions of this chapter. The commissioner of the revenue is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations in conformity with the provisions of this chapter, including the requirement of answers under oath, as may be reasonably necessary to determine qualifications for exemption as specified by this chapter. The commissioner of the revenue may require the production of certified tax returns and appraisal reports to establish income or financial worth. The term "mobile home" as used in this ordinance shall mean a ~~housing unit as defined in section 36-71(4)~~[manufactured home as defined in section 36-85.3](#) of the Code of Virginia of 1950, as amended.

**Sec. 4-2-23. - Requirements enumerated.**

The exemption shall be granted, subject to the following provisions:

- (3) The gross combined income of the owner or owners during the year immediately preceding the taxable year shall be determined by the commissioner of the revenue to be an amount not to exceed thirty-~~five~~[five](#) thousand dollars (~~\$30~~[35](#),000.00). Gross combined income shall include all income from all sources of (i) the owners of the dwelling who use it as their sole residence, (ii) the owner's relatives living in the dwelling for which the exemption is claimed, except for those relatives living in the dwelling and providing bona fide caregiving services to the owner whether such relatives are compensated or not, and (iii) nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide caregivers of the owner, whether compensated or not. Determination of gross combined income is further subject to subdivision 1b of section 58.1-3211 of the Code of Virginia, 1950, as amended.

**Sec. 4-2-24. - Application for exemption.**

- (a) The person or persons filing for the exemption provided by this article B, shall file an application in the form of an affidavit setting forth (i) the names of the related persons

occupying such real estate, (ii) the total combined net worth of the owners, including equitable interests, and (iii) the combined income from all sources of the persons specified in 4-2-23(2), which net worth and income must not exceed the limits established in this article. Such application shall be filed no later than May 1 immediately preceding the city's fiscal year for which exemption is desired, except in cases ~~of a first time applicant or~~ where the commissioner determines ~~hardship~~ the failure to apply by May 1 was due to events beyond the applicant's control, in which case application may be made up to June 30.

**Sec. 4-2-25. - Schedule of amounts.**

(a) The person qualifying for the exemption shall be relieved of liability of the real estate tax levied on the qualifying dwelling and land in accordance with the following schedule:

Combined Gross Income Exemption	Percent
Up to <del>\$15</del> <u>20</u> ,000.00	80
<del>\$15</del> <u>20</u> ,001.00 to <del>\$20</del> <u>25</u> ,000.00	60
<del>\$20</del> <u>25</u> ,001.00 to <del>\$25</del> <u>30</u> ,000.00	40
<del>\$25</del> <u>30</u> ,001.00 to <del>\$30</del> <u>35</u> ,000.00	20

(b) The maximum tax relief grant for the current taxable year shall not exceed one thousand five hundred dollars (~~\$1,000~~500.00).

This ordinance shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2020

ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
City Clerk