

ORDINANCE NO. 633-A

Introduced by Commissioner Robert May

AN ORDINANCE TO PROVIDE FOR THE DEFERRAL OF ASSESSMENTS FOR IMPROVEMENTS LEVIED UNDER ORDINANCE 592-A WHERE THE PROPERTY OWNER IS A SENIOR CITIZEN AS DEFINED HEREIN, AND OTHERWISE QUALIFIES PURSUANT TO THIS ORDINANCE.

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this Ordinance is to permit qualified senior citizens to have deferred the special assessments that may be levied against their full time residences and domiciles for improvements as authorized under Ordinance 592-A.

Section 2. Senior Citizen Defined. A senior citizen is one who is sixty-five (65) years of age or more on or before the first day of January of the year in which the assessment in question is to be levied.

Section 3. Qualification of Senior Citizens. To qualify for this senior citizens assessment deferral program:

(a) The property to be assessed must be owned by a senior citizen or if owned by a husband and wife, then only one of them needs to be a senior citizen.

(b) The property to be assessed must be the full time residence and domicile of the senior citizen.

(c) The senior citizen shall have an income not to exceed Six Thousand Five Hundred Dollars (\$6,500.00) and if married, then the combined income of both husband and wife shall not exceed Seven Thousand Five Hundred Dollars (\$7,500.00) and further, not to exceed an increase of more than Five Hundred Dollars (\$500.00) for each additional dependent that is living with them during the calendar year preceding the one in which the assessment is to be levied. The income shall be gross income, exclusive of any deductions for federal or state income taxes, SAIF or unemployment deductions, etc.; however, shall include all income from whatever source derived, including pensions, social security, etc.

Section 4. Deferral of Assessment. To the extent that the funds are conveniently available to the city, a qualified senior citizen may choose to have deferred the special assessments, in excess of \$250.00, for improvements levied under Ordinance No. 592-A against his full time residence and domicile. Such assessments shall bear interest at the rate of 8% per annum from the date that it is levied and until paid in full and shall become immediately due and payable when the property ceases to be the full time residence of the senior citizen. Cessation of a full time residence may be by sale, or rental, or death of both the senior

citizen and spouse, or other transfer or assignment of their interest, or abandonment for six months or confinement in a nursing home, etc.


Section 5. Investigation of Status of Land. As frequently as appears appropriate, the staff shall review the County records relating to deferred special assessments and shall also make such investigations as appear appropriate to learn of any other material changes in the status of the subject land. The qualification of property for this deferral is a privilege and not a right and the decisions of the Commission of the City of Warrenton shall be final regarding qualification of property or individuals for this deferred status.

Section 6. Assessment to be a Lien. Any special assessment that is deferred by the terms of this Ordinance shall become a lien on the land just as though this Ordinance had not been adopted. When such assessment becomes due by the terms of Section 4 of this Ordinance, or otherwise, it may be enforced and collected as provided in state law for the collection of assessments or by any other means provided by law including Ordinances and Resolutions and the Charter of this City.

Section 7. Election. A qualified senior citizen who desires to have a special assessment deferred pursuant to the provisions of this ordinance, shall, prior to the deferral and as an express condition of the deferral, enter into a contract on such terms and conditions as may be approved by the city attorney and authorized by the City Commission.

Passed by the City Commission of the City of Warrenton this 18th day of October, 1976.

Approved by the Mayor of the City of Warrenton this 18th day of October, 1976.

  
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Mayor

ATTEST:

  
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Auditor and Police Judge