

ORDINANCE 2009-O-8A

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING SECTION 24-31 (HOMESTEAD EXEMPTION FOR THE ELDERLY) AND SECTION 24-32 (HOMESTEAD EXEMPTION FOR CERTAIN DISABLED PERSONS) OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON BY INCREASING THE HOMESTEAD EXEMPTION FROM \$40,000 TO \$45,000; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Constitution of the State of Texas and the Texas Tax Code provide that the governing body of any City may exempt not less than Three Thousand Dollars (\$3,000) of the assessed taxable value of the residence homesteads of elderly and disabled persons from all ad valorem taxes thereafter levied by the City; and

WHEREAS, the City of Angleton last adjusted the homestead exemption for the elderly in 2006; and

WHEREAS, the City of Angleton last adjusted the homestead exemption for disabled persons in 2006; and

WHEREAS, the value of property has increased since the last adjustment; and

WHEREAS, the City Council of the City of Angleton, Texas finds that many of the residents of the City who are elderly or disabled have fixed incomes that have not increased with the value of their homes, and that there is a need to afford such senior citizens and disabled persons some consideration with respect to their needs, the rising cost of living, and increasing tax burdens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION I. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct.

SECTION II. THAT Section 24-31 (Homestead exemption for the elderly) and Section 24-32 (Homestead exemption for certain disabled persons) of the Code of Ordinances, City of Angleton, Texas, are hereby amended to read as follows:

Section 24-31. Homestead exemption for the elderly

(a) Effective beginning with the 2009 tax year, the residence homestead exemption for persons sixty-five (65) years of age or older shall be increased to Forty Five Thousand dollars (\$45,000) of the assessed taxable value of all residence homesteads of those persons sixty five (65) years of age or older.

(b) Each person desiring such exemption shall file an application for such exemption with the chief appraiser of the Brazoria County Appraisal District pursuant to the requirements of V.T.C.A. Tax Code, Section 11.43, with the exception that such exemption shall automatically apply to all such persons that have previously filed for a homestead exemption under the City of Angleton.

Section 24-32. Homestead exemption for certain disabled persons

(a) Effective beginning with the 2009 tax year, the residence homestead exemption shall be increased to Forty Five Thousand dollars (\$45,000) of the assessed taxable value of all residence homesteads of each qualifying disabled person, as defined herein.

(b) “Disabled”, for purposes of qualifying for this exemption, shall mean under a disability for purposes of payment of disability insurance benefits under Federal Old-Age, Survivors and Disability Insurance.

(c) Each person desiring such exemption shall file an application for such exemption with the chief appraiser of the Brazoria County Appraisal District pursuant to the requirements of V.T.C.A. Tax Code, Section 11.43, with the exception that such exemption shall automatically apply to all such persons that have previously filed for a homestead exemption under the City of Angleton.

SECTION III. PROVIDING FOR SEVERABILITY. If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Angleton in adopting, and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION IV. SAVINGS CLAUSE. That save and except as amended hereby all the remaining sections, paragraphs, sentences and clauses of Chapter 24 of the Code of Ordinances of the City of Angleton, Texas shall remain in full force and effect.

SECTION V. OPEN MEETINGS. The City Council has found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of this meeting was given as required by the Texas Open Meetings Act, Chapt. 551, Tex. Gov't. Code, as amended, and that a quorum was present.

SECTION VI. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of approval.

READ, PASSED, AND APPROVED ON THIS THE 11TH DAY OF AUGUST, 2009.

CITY OF ANGLETON, TEXAS

J. PATRICK HENRY, Mayor

ATTEST:

APPROVED AS TO FORM:

SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

HERBERT L. PROUTY, INTERIM
CITY ATTORNEY