

ORDINANCE NO. 046, 2012
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CERTAIN SECTIONS OF CHAPTER 25 OF THE CODE OF THE
CITY OF FORT COLLINS RELATING TO THE CITY'S PROPERTY TAX REBATE

WHEREAS, Chapter 25, Article II, Division 2 of the City Code authorizes rebates of City property tax revenues to low income elderly residents and disabled residents of the City; and

WHEREAS, similarly, Chapter 25, Article II, Division 3 of the City Code authorizes rebates of sales tax revenues to low income households in the City; and

WHEREAS, Chapter 25, Article II, Division 2 of the City Code authorizes the rebate of City property tax revenues to low income elderly residents and disabled residents of the City, and Chapter 26, Article VII, Division 2 of the City Code provides relief from utility bills for such residents through a utility bill refund program that uses the same qualification requirements as the property tax rebate program; and

WHEREAS, the City Council wishes to amend the provisions of these two divisions so as to reconcile certain inconsistencies between them with regard to qualifying income levels and administrative regulations, and to increase the amount of the sales tax rebate person per calendar year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the definition of "*Household*" contained Section 25-26 of the Code of the City of Fort Collins is hereby amended to read as follows:

Household shall mean two (2) or more persons related by blood or marriage living together under one (1) roof. For the purposes of this provision, a person who pays property taxes or rent on a home or dwelling unit shall be considered to be a part of the household in the dwelling unit in which that person resides, and shall not be considered to be part of any other household.

Section 2. That Section 25-27 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 25-27. Purpose.

There is hereby enacted a tax refund program to provide relief from property taxes for low-income elderly residents and disabled residents of the City. It is the purpose of this tax refund program to refund to low-income elderly residents and disabled residents, as defined in this Division, the City's portion of property taxes for the preceding year which such persons have paid. This program is intended to apply

to applicants who either own or lease, and reside within, the dwelling unit for which such taxes have been paid pursuant to the provisions of Section 25-31(a).

Section 3. That Section 25-28 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 25-28. Application for refund.

Refunds under this program shall be made to persons qualified for such refunds upon written application made to the Financial Officer on forms to be provided by the Financial Officer. Such applications shall be made between August 1 and October 31, inclusive, of each year for which a refund is to be made.

Section 4. That Section 25-29(4) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 25-29. Qualifications.

...

- (4) The applicant household shall have an annual income which shall not exceed fifty (50) percent of the area median income for the applicable household size in the Fort Collins-Loveland metropolitan statistical area, rounded to the nearest two-hundred-fifty-dollar increment, up to a maximum household income of fifty (50) percent of the area median income for a household of four (4), as most recently published by the United States Department of Housing and Urban Development as of August 1 of the rebate year.

...

Section 5. That Section 25-32 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 25-32. Administration.

The Financial Officer shall administer the program established by this Division and may prepare a rebate application form, adopt rules and regulations consistent with the provisions of this Division and audit and verify the applications submitted pursuant to this Division. Any rebate application form shall require the claimant to verify and sign the application under oath. The burden of proving entitlement to a rebate under this Division is on the claimant. The Financial Officer may require reasonable information to support the rebate application.

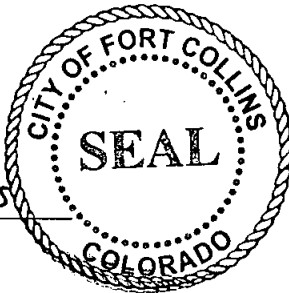
Section 6. That the City Manager is hereby directed to submit an annual report to the City Council, commencing on or before March 31, 2013, setting forth the number of applications

for property tax rebates and utility bill refunds received by the City during the previous year, the status of the applicants (whether property owner or tenant), the average household income level, the total amounts rebated by the City during the previous year, and any other information that the City Manager may consider relevant and helpful to the City Council's ongoing assessment of such rebate programs and ways in which they might be made more effective.

Introduced, considered favorably on first reading, and ordered published this 15th day of May, A.D. 2012, and to be presented for final passage on the 5th day of June, A.D. 2012.

ATTEST:

Rita Knoll Harris
Interim City Clerk

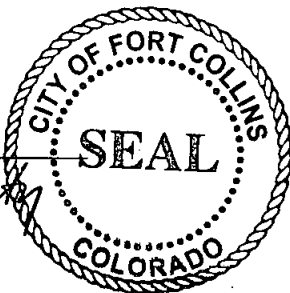


Karen Weickert
Mayor

Passed and adopted on final reading on the 5th day of June, A.D. 2012.

ATTEST:

Spencer
Interim City Clerk / Deputy



Karen Weickert
Mayor