

*March, 1969*

An Ordinance granting partial exemption from real property taxation for real property owned by certain persons with limited income who are 65 years of age or over.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ALLEGANY, AS FOLLOWS:

SECTION 1. Real property owned by one or more persons, each of whom are sixty-five years of age or over, shall be exempt from taxation by the Town of Allegany to the extent of fifty percentum of the assessed valuation thereof pursuant to the provisions of section four hundred sixty-seven of the Real Property Tax Law.

2. Exemption from taxation for school purposes shall not be granted in the case of real property where a child resides if such child attends a public school within the school district.

3. No exemption shall be granted:

(a) If the income of the owner or the combined income of the owners of the property exceeds the sum of three thousand dollars for the twelve consecutive months immediately preceding the date of making application for exemption. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings, and income from self-employment, but shall not include gifts or inheritances;

(b) Unless the title of the property shall have been vested in the owner or all of the owners of the property for at least sixty consecutive months prior to the date of making application for exemption;

(c) Unless the property is used exclusively for residential purposes;

(d) Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property.

4. Application for such exemption must be made by the owner, or all of the owners of the property each year on forms to be furnished by the town assessor's office, and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in such assessor's office at least ninety days before the day for filing the final assessment roll.

5. Any conviction of having made any willful false statement in the application for such exemption, shall be punishable by a fine of not more than one hundred dollars and shall disqualify the applicant or applicants from further exemption for a period of five years.

6. This ordinance shall take effect immediately.

Dated: March 14, 1969,

By order of the Town Board of the Town of Allegany.

*M. Kutzner Handberg*