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Requested by Councilmember Henry

CITY OF HOMER  
HOMER, ALASKA

ORDINANCE 90-23

AN ORDINANCE ADDING SECTION 9.04.035 TO PROVIDE FOR A REAL PROPERTY TAX EXEMPTION FOR RESIDENTIAL PROPERTY OWNED AND OCCUPIED BY RESIDENTS OF THE CITY AND AMENDING SECTION 9.04.030 REAL AND PERSONAL PROPERTY TAX LIABILITY.

WHEREAS, the Council is authorized by State law to enact an Ordinance exempting or partially exempting residential property from the real estate tax not exceeding \$10,000 valuation for any one residence; and

WHEREAS, an Ordinance so enacted by the Council must be ratified by the voters of the City at a regular or special election; and

WHEREAS, said residential property exemption is currently in effect for the Kenai Peninsula Borough, having been approved by the voters at a regular election.

NOW, THEREFORE, the City of Homer Ordains;

Section 1. That a new section 9.04.035 is added to Title 9 - Taxation of the Homer City Code to provide as follows:

9.04.035 Residential Real Property Exemption.

- A. The first \$10,000 of assessed valuation of residential real property owned and occupied as the permanent place of residence in the City shall be exempt from the City tax levy on real property within the City of Homer.
- B. Exemptions under this section shall be granted automatically if, and only if, an exemption is granted for the property by the Kenai Peninsula Borough under KPB 5.12.155.

Section 2. Section 9.04.030 of the Homer City Code is hereby amended to read as follows:

9.04.030 Real and personal property tax liability. All real and personal property located within the corporate limits of the City which is not exempt from taxation by state law or City Code is subject to and liable for an annual tax for City purposes. Such taxes shall be collected by the Kenai Peninsula Borough under the authority of the Alaska Statutes, Title 29, Chapter [53] 45. The collection of such taxes shall be accomplished in accordance with the provisions of the Kenai Peninsula Borough Code, Chapter 5, and the Alaska Statutes, Title 29, Chapter [53] 45.

Section 3. There shall be placed on the ballot at the next regular election, the following proposition:

"Shall Ordinance 90-\_\_\_\_\_ of the City of Homer, providing for an exemption from City real property taxes on the first \$10,000 of assessed valuation of residential real property owned and occupied as the permanent place of residence, be ratified?"

Section 4. Sections 2, 3 and 4 of this ordinance shall take effect on the day following passage by the Homer City Council. If the ordinance is ratified by the voters of the City at the designated election, then Section 1 shall take effect on the date of certification of the election results by the City Clerk. If the ordinance is not ratified by the voters of the City at the designated election, then Section 1 shall not take effect.

CITY OF HOMER

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JOHN P. CALHOUN, MAYOR

ATTEST:

\_\_\_\_\_  
PATTI J. WHALIN, CMC  
CITY CLERK

FIRST READING: \_\_\_\_\_  
PUBLIC HEARING: \_\_\_\_\_  
SECOND READING: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_

Approved as to form and content:

\_\_\_\_\_  
C.E. SWACKHAMMER, CITY MANAGER

DATE: \_\_\_\_\_

\_\_\_\_\_  
GORDON J TANS, CITY ATTORNEY

DATE: \_\_\_\_\_