

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE TO INCREASE THE INCOME THRESHOLD FOR THE EXEMPTION OF CAREGIVER, ELDERLY, OR DISABLED PERSONS FROM REAL ESTATE TAXATION

Rev. 1
#0490

Sponsor:

Council
Member
McCoy

WHEREAS, 22 *Del. C.* § 1002 authorizes municipalities to create a real estate property exemption for “every person a resident of a municipality of this State and the owner of real property located therein who is 65 years of age or over ...”; and

WHEREAS, the City Council, has enacted the provisions of Section 44-64 of the City Code authorizing, within the limitations of the provisions of that Section, exemption of caregivers, elderly, or disabled persons from real estate taxation; and

WHEREAS, the income limits were last adjusted in 1998, and lag behind exemptions in other jurisdictions; and

WHEREAS, New Castle County sets its caregiver, elderly, or disabled persons real estate taxation exemption income limits at \$50,000.00 per household;

WHEREAS, City Council deems it necessary and appropriate to update the income thresholds for exemption of caregivers, elderly, or disabled persons from real estate taxation.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Chapter 44 of the City Code is hereby amended by deleting the struck through language and adding the underlined language to read as follows:

Sec. 44-64. – Exemption of caregiver, elderly, or disabled person from real estate taxation.

(c) *Qualifications.* No exemption shall be granted under the provisions of this section unless all of the conditions in this section are met:

(1) Unless:

- a. The income of a property owner does not exceed the ~~sum of \$15,000.00~~ 300% of the Federal Poverty Level for family size for property tax exemption beginning July 1, ~~1998~~2025, and beginning July 1 of each fiscal year thereafter unless amended by ordinance of council, for the income tax year immediately preceding the date of making an application for property tax exemption; or
- b. Where the property owner has a spouse who either lives with him or her, or, because of mental or physical infirmity, lives in a health care facility, the combined income of the two of them does not exceed ~~the sum of \$19,000.00~~ 300% of the Federal Poverty Level for family size for property tax exemption beginning July 1, ~~1998~~2025, and beginning July 1 of each fiscal year thereafter unless amended by ordinance of council, for the income tax year immediately preceding the date of making an application for property tax exemption.

SECTION 2. This Ordinance shall become effective immediately upon its date of passage by City Council and approval by the Mayor, and shall be applicable to the fiscal year beginning July 1, 2025.

First Reading.....October 17, 2024
Second Reading.....October 17, 2024
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2024.

Mayor

SYNOPSIS: This Ordinance amends Section 44-64 of the City Code to increase the income levels for the exemption of caregiver, elderly, or disabled persons from real estate taxation.

FISCAL IMPACT STATEMENT: This Ordinance's fiscal impact is unknown at this time.