

TOWN OF CHEVERLY
ORDINANCE No: 2022-07

AN ORDINANCE WHEREBY THE MAYOR AND COUNCIL ENACTS A NEW CHAPTER 30, “INCOME BASED TAX CREDIT PROGRAMS” OF THE TOWN CODE TO IMPLEMENT A HOMEOWNERS’ TAX CREDIT PROGRAM TO LOW-INCOME RESIDENTS

WHEREAS, the Mayor and Town Council of the Town of Cheverly is committed to living its values as a welcoming and inclusive Town for all individuals and is a community that seeks to accept everyone, regardless of a person's race, ethnicity, place of origin or immigration status; and

WHEREAS, in the last several months residents, new and longtime owner-occupants of principal residences, have faced the real threat of losing the financial ability to remain in their homes by virtue of the rising market values, inflation, and consequent property tax assessments which are the hallmarks of the process of neighborhood change; and

WHEREAS, the Town of Cheverly wishes to address displacement and economic hardship caused by the COVID-19 Global Pandemic and consequential inflation; and

WHEREAS, the Town wishes to preserve key aspects of Cheverly's past while looking forward to the future by supporting sustainable growth that protects our natural and historic resources, while preserving our values, qualities, and culture for our new and longtime residents; and

WHEREAS, the Mayor and Council adopted a Strategic Plan in 2022 that lists Growth through economic and business development a Key Priority for a 5-year plan for the Town’s future; and

WHEREAS, after public debate and much deliberation, it is the belief of the Mayor and Council that the community is protected by adopting an income-based homeowners’ property tax credit for low-income residents; and

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Cheverly, a new Chapter of the Code, Chapter 30 “INCOME BASED TAX CREDIT PROGRAMS” is enacted as follows:

CHAPTER 30– INCOME BASED TAX CREDIT PROGRAMS

SEC. 30-1 - Income Based Homeowners’ Municipal Tax Credit

- (a) The Town of Cheverly will issue a rebate if a resident has completed the Maryland State Department of Assessments & Taxation 2023 Homeowners’ Property Tax Credit Application, been granted that tax credit, and can present written proof of that granted tax credit.
- (b) The Town of Cheverly will first apply the tax credit to any debts, fines, and/or tickets issued by the Town.

SEC. 30-2. - Eligibility Requirements.

The applicant must meet the following requirements to qualify:

- (a) An applicant’s combined gross household income does not exceed \$60,000.

- (b) An applicant's net worth must be less than \$200,000, regardless of the amount a resident pays in tax for year 2023, excluding the value of the property for which the credit application is being made and the cash value of Individual Retirement Accounts or qualified retirement savings plans as of December 31, 2022.
- (c) The applicant must own or have a legal interest in the property. Land installment sales, contract purchases, holders of life estate and beneficiaries of certain trusts have sufficient legal interest.
- (d) The dwelling for which the application is being made, must be the applicant's principal residence. Applicant resides or expects to reside for more than six (6) months of the tax year, including July 1, 2022, unless unable to do so for reasons of illness, need of special care or the property was recently purchased. An individual who permits, pursuant to a court order or separation agreement, a spouse, former spouse, or children of that person's family, to reside in a dwelling in which the individual has a legal interest, has met the residency requirement. A homeowner may claim credit for only one principal residence.

SEC. 30-3.- Application.

- (a) The applicant must be a current resident of the Town of Cheverly.
- (b) Applicants shall provide to the Treasurer of the Town written proof that they were granted a tax credit from the Maryland State Department of Assessments & Taxation 2023 Homeowners' Property Tax Credit.
- (c) Initial applications shall be presented to the Town between February 1 and May 15.
- (d) If the applicant meets all requirements, including written proof of approval of the Maryland 2023 Homeowners' Property Tax Credit, the Treasurer will be directed to issue a reimbursement in the amount of fifty dollars (\$50.00) to the taxpayer.

SEC. 30-4.- Review.

- (a) The utility of this ordinance is to be reviewed every year to ensure that its intended purpose is being honored and modifications, if necessary, to the amount rebated to the taxpayer, after tax year 2023.

SEC. 30-5.- CONSTRUCTION.

- (a) The provisions of this Chapter shall be construed so as to be effective to the extent that they do not conflict with federal law, state law, this Code, or any Court order.

AND BE IT FURTHER ORDAINED that any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect 30 days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this Ordinance shall forthwith be published twice in a newspaper having general circulation in the Town and otherwise be made available to the public.

INTRODUCED by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on Thursday, December 8, 2022.

ADOPTED by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on January 26, 2023.

ADOPTED: __ January 26, 2023

Attest: _____

Kaycee Munyeneh
Mayor

Marverly Nettles
Councilmember

Joseph Dalaker
Councilmember

Micah Watson
Councilmember

Charly Garces
Councilmember

Ted McCann
Councilmember

Amy Fry
Councilmember

Asterisks * * * * Indicate matter remaining unchanged in existing law but not set forth in Ordinance.

CAPS indicate additions.

~~[Brackets]~~ indicate matter deleted from the law.

~~[Brackets]~~ indicate matter deleted in amendment.