

ORDINANCE NO. 377

AN ORDINANCE Providing for Deferment of Special Assessments By Senior Citizens.

The City of Bay City ordains as follows:

Section 1. Purpose. The purpose of this Ordinance is to permit qualified senior citizens to have deferred the special assessments that may be levied against their residences for street, curb and gutter and related improvements.

Section 2. Senior Citizen Defined. A senior citizen is one who is sixty-two (62) years of age or more on or before the first day of January of the year in which the assessment in question is to be levied.

Section 3. Qualification of Senior Citizens. To qualify for this senior citizens assessment deferral program:

- (a) The property to be assessed must be owned by a senior citizen or if owned by a husband and wife then only one of them needs to be a senior citizen;
- (b) The property to be assessed must be the residence of the senior citizen;
- (c) The senior citizen shall have an income not to exceed Forty-eight hundred (\$4,800.00), and if he is married then their joint income shall not exceed Six-thousand (\$6,000.00), and further, not to exceed an increase of more than Six hundred (\$600.00), for each additional dependent that is living with them during the calendar year preceeding the one in which the assessment is to be levied.

Section 4. Deferral of Assessment. To the extent that funds are conveniently available to the city, a qualified senior citizen may choose to have deferred the special assessment for street, curb and gutter and related improvements that is to be levied against his residence. Such assessment shall bear interest at the rate of six percent (6%) per annum from the date that it is levied against the residence, and until paid and shall become due when the property ceases to be the residence of the senior citizen or his spouse. This may be by reason of the sale or rental of the property or the death of both the senior citizen and his spouse or for any other reason whatsoever.

Section 5. Investigation of Status of Land. As frequently as appears appropriate, the City Recorder shall review the county records relating to deferred special assessments and shall also make such investigations as appear appropriate to learn of any other material changes in the status of the subject land.

Section 6. Assessment to be a Lien. Any special assessment that is deferred by the terms of this Ordinance shall become a lien on the land just as though this Ordinance had not been adopted. When such assessment becomes due by the terms of Section 4 of this Ordinance, it may be enforced and collected as provided in state law for the collection of assessments or by any other means provided by law.

Section 7. Election. A qualified senior citizen who elects to have a special assessment deferred pursuant to the provisions of this Ordinance, shall enter into a contract to be prepared by the city attorney.

Section 8. Adoption. PASSED and ADOPTED by the City Council this 18th day of January, 1979, and APPROVED by the Mayor this 18th day of January, 1979.

ATTEST:

/s/ D.L. Carver
Dallas L. Carver
City Recorder

/s/Virgil M. Simmons
Virgil M. Simmons
Mayor