

Introduced by: Council Members Pruhs, Cleworth,
Bagwill, and Huntington
Finance Committee Review: November 9, 2017
Date: November 20, 2017

ORDINANCE NO. 6066, AS AMENDED

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE
SECTION 74-34 RESIDENTIAL PROPERTY TAX EXEMPTION TO
CLARIFY AMOUNT OF EXEMPTION**

WHEREAS, in April of 1982, the City Council passed Ordinance No. 4119 that placed the issue of a residential property tax exemption before the voters; and

WHEREAS, in October of 1982, City voters approved ballot Proposition A, which read: "Shall Ordinance No. 4119, providing for a residential property tax exemption in the city of Fairbanks in the maximum amount allowed under state law, as amended from time to time, be ratified?"; and

WHEREAS, in 2016 the State legislature amended AS 29.45.050(a) to increase the maximum allowable municipal residential property tax exemption to \$50,000; and

WHEREAS, the Borough, by Ordinance No. 2016-10 (ratified by the voters in October of 2016), approved an increase in the Borough's residential property tax exemption to \$50,000, effective December 31, 2017; and

WHEREAS, in 2007, the City Council adopted Ordinance No. 5716 that amended FGC Sec. 74-32 to clarify that the grant of an optional property tax exemption by the Fairbanks North Star Borough under AS 29.45.050 or any other statute would not apply to real property within the city unless the City Council concurred by ordinance; and

WHEREAS, based upon City Ordinance No. 4119 and the language of the ballot proposition approved by that ordinance, the increase in the maximum allowable residential property tax exemption would go into effect absent action by the City Council; and

WHEREAS, certain amendments to the language of Sec. 74-34 are needed to update the code and make its language consistent with the Borough's filing requirements.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That Fairbanks General Code Section 74-34. Residential property tax exemption is hereby amended as follows [new text in **underlined bold** font; deleted text in ~~striketrough~~ font]:

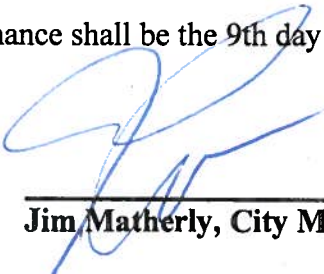
Sec. 74-34. Residential property tax exemption.

(a) Residential real property within the city shall be exempt from property tax as set forth in AS 29.45.050(a), provided that:

- (1) The property is owned and occupied as a residence by the owners of record.
- (2) There are no property taxes or penalties or interest owing at the time of application or on April 1 of each successive tax year after initial application.
- (3) The owners of record shall ~~annually~~ sign a real property exemption statement and file the statement with the borough assessor prior to April 1 of the tax year ~~or before May 10 of each year.~~ The owners of record need not file such a statement for successive tax years if there is no change in ownership and no change in occupation as a residence by the owners of record.

(b) The maximum amount of the real property tax exemption provided for under AS 29.45.050(a) and this section shall be 20% of the assessed value, up to a maximum of \$20,000.

SECTION 2. That the effective date of this Ordinance shall be the 9th day of December 2017.



Jim Matherly, City Mayor

AYES: Rogers, Bagwill, Therrien, Pruhs, Cleworth
NAYS: None
ABSENT: Huntington
ADOPTED: December 4, 2017

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney