

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1980-14

No. 187 **AN ORDINANCE** ENABLING THE CITY COUNCIL OF THE CITY OF PROVIDENCE TO GRANT A THREE THOUSAND DOLLAR (\$3,000.00) REAL PROPERTY TAX EXEMPTION TO ANY PERSON ONE HUNDRED PERCENT (100%) DISABLED WHO OWNS AND OCCUPIES RESIDENTIAL PROPERTY LOCATED IN THE CITY OF PROVIDENCE.

Approved April 25, 1980

Be it ordained by the City of Providence:

SECTION 1. Authority of City Council - The City Council of the City of Providence is hereby authorized to grant a \$3,000.00 real property exemption from taxation to any person who is one hundred percent (100%) disabled and who owns and occupies residential property, located in the City of Providence. Such exemption shall be granted upon proof of the following:

(1) Ownership of said residential property for a period of three (3) years next prior to the filing of an application for taxation;

(2) Occupancy of same;

(3) That said taxpayer is legally domiciled in the City of Providence. Nothing contained herein shall abrogate or affect the authority conferred upon the City Assessor by the provisions of Section 44-3-3, sub-paragraph 16 of the General Laws of Rhode Island, 1956, as amended.

SECTION 2. Filing of application - Proof of right to exemption. No person shall be entitled to any exemption herein authorized in any year without first filing an application with the City Assessor on forms furnished by said Assessor. Each application shall be sworn to by the applicant under penalty of perjury and may be verified by the authority granting such disability payments. Such verification shall be at the discretion of the Assessor. Proof of such disability designated in Title II and Title XVI of the Social Security Acts, as amended. However, those certain individuals being 100% disabled and receiving disability payments from sources other than Social Security, such as employees of the railroad, Federal civil service, postal service and Providence Police Department, shall also be entitled to apply and receive exemption under this Ordinance. Proof of such disability, ownership, occupancy and legal domicile shall be fur-

No.

CHAPTER

AN ORDINANCE

nished in the following manner:

(a) Proof of disability; any person who is certified to be one hundred percent (100%) disabled,

(b) Ownership: ownership shall be established by furnishing the City Assessor with the date of purchase and land record citation of same by the applicant of the residential property involved.

(c) Occupancy: occupancy of the residential property may be proven by incorporating such fact in the sworn application for exemption;

(d) Legal domicile: domicile may be established by the production of (1) voter's registration certificate and/or (2) by the production of a license to operate vehicle, or a registration certificate, or by such other means as the City Assessor may reasonably require;

(e) Other forms of proof: an applicant may provide proof of right to exemption if the above specified methods are not available to him or her by furnishing military records, passports, certificate of citizenship or by such other evidence of proof as may be required by the City Assessor.

(f) Residential property shall be defined as not more than a three (3) family dwelling unit, with no commercial or office space involved.

In the event that the applicant for exemption is a co-tenant, joint tenant or tenant by the entirety, proof enumerated by any one of the applicant owners shall be sufficient to entitle the individual to the exemption; however meaning and intending that only one exemption shall be allowed under this Ordinance to any one household whether one individual owner or all the owners are receiving benefits under one or more of the disability provisions.

Further, those individuals already receiving special exemption benefits as being so-called "Service-Related Disabled" under the Veteran's exemption program shall be allowed to file under this provision and be allowed to claim a maximum \$3,000 exemption as a disabled individual, but shall not be entitled to claim both such exemption benefits separately.

SECTION 3. Termination of exemptions. All exemptions shall terminate upon (1) the conveyance of the subject property, (2) death of the person exempted, (3) the moving of such person from the City of Providence, (4) the termination of such dis-

ability benefits, (5) and upon the age of 65 when all disability benefits are converted to retirement benefits and the individuals exempted must then apply for continued exemption under the Senior Citizens exemption program.

SECTION 4. Severability clause - If any provision or provisions or parts of this Act are declared to be unconstitutional by a court of competent jurisdiction, such provision or provisions or parts thereof shall be deemed to be void, and the remainder of the said provision or provisions shall remain in full force and effect.

SECTION 5. This Ordinance shall take effect on December 31, 1979.

IN CITY COUNCIL
APR 2 1980
FIRST READING
READ AND PASSED

Rose M. Mendonca CLERK

IN CITY
COUNCIL

APR 17 1980

FINAL READING
READ AND PASSED

Ralph Fagnolo
PRESIDENT
Rose M. Mendonca
CLERK

APPROVED

MAYOR

Vincenta Cianci, Jr.

APR 25 1980

THE COMMITTEE ON
FINANCE

Approves Passage of
The Within Ordinance, as amended

Rose M. Mendonca
Clerk Chairman

March 19, 1980

LETTER
V. 1
MARCH 2
1980

LETTER
V. 1
MARCH 2
1980

RECEIVED

58 S B 100

April 18, 1980

Representative Armand E. Batastini, Jr.
192 Eaton Street
Providence, Rhode Island 02908

Dear Representative Batastini,

Enclosed is copy of Ordinance presented to the City
Council on April 17, 1980, read and passed by said members.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure