

1 **Ordinance to Amend and Re-Enact Chapter 32.1, Article II of the Code of the City**
2 **of Hampton Entitled “Collections By the City” by Amending Section 32.1-40**
3 **Pertaining to the Solid Waste User Fee Exemption for Qualified Elderly and**
4 **Disabled Persons.**

5 **Sec. 32.1-40. Exemption for qualified elderly and disabled persons.**

6 Notwithstanding any provision in this chapter to the contrary, the
7 implementation of the amendment adopted by city council on May 14,
8 2014, ordinance number 14-0007 pertaining to the repeal of relief from the
9 payment of solid waste user fees for qualified applicants at least 65 years
10 of age or anyone found to be permanently and totally disabled as defined
11 in Virginia Code § 58.1-3217 and claiming a real estate tax exemption
12 under city code §37-123 as of July 1, 2013 *which implementation was to*
13 *be delayed* ~~will be delayed~~ until July 1, 2016, only for those persons
14 qualifying and claiming a real estate tax exemption as of July 1, 2013 *by*
15 *ordinance number 14-00025 adopted by city council on November 12,*
16 *2014, will no longer be in effect. Effective, March 9, 2016, all elderly and*
17 *disabled persons qualifying and claiming a real estate tax exemption*
18 *under city code § 37-123 as of July 1, 2013 are exempt from the payment*
19 *of solid waste user fees subject to income limitations and financial worth*
20 *limitations as set forth herein.* All other elderly and disabled persons not
21 eligible under the prior real estate tax exemption program pursuant to city
22 code §37-123 or claiming an exemption to real estate taxes as of July 1,
23 2013 are required to pay the solid waste user fee. Income limitations and
24 financial worth limitations set forth in the prior tax exemption program
25 pursuant to city code §37-123, article II of the city code shall apply. For
26 purposes of this section, qualified applicants are defined as those
27 individuals who meet income limitations for each annual tax relief
28 application. Administration and application for relief from the solid waste
29 user fee shall be the responsibility of the department. The commissioner
30 of revenue shall certify that a person is qualified for relief to the
31 department providing the percentage of tax liability for each qualified
32 person. The department shall reduce the solid waste user fee accordingly.