

TOWN OF NORTH CASTLE

Local Law No. __2__ For the Year 2024

A LOCAL LAW to amend the Code of the Town of North Castle by amending Chapter 288 entitled Taxation.

BE IT ENACTED by the Town Board of the Town of North Castle as follows:

1. Article II entitled Senior Citizens and Disabled Citizens Tax Exemption is hereby amended in its entirety as follows:

§ 288-3 Section 1, Exemption granted; exemption schedule.

- A. The Town of North Castle hereby elects to grant property tax exemptions to persons age 65 years and over, subject to all the conditions and provisions contained in § 467 of the Real Property Tax Law, as well as these set forth within, to the extent indicated below. For purposes of determining age eligibility, the Town of North Castle grants eligibility to those persons reaching age 65 on or before December 31.

- (1) For the period commencing July 1, 2009, and expiring on June 30, 2022:

Maximum Income Exemption Eligibility	Percentage of Assessed Valuation Exempt from Taxation
Not more than \$29,000	50%
\$29,000.01 or more but less than \$29,999.99	45%
\$30,000 or more but less than \$30,999.99	40%
\$31,000 or more but less than \$31,999.99	35%
\$32,000 or more but less than \$32,899.99	30%
\$32,900 or more but less than \$33,799.99	25%
\$33,800 or more but less than \$34,699.99	20%
\$34,700 or more but less than \$35,599.99	15%
\$35,600 or more but less than \$36,499.99	10%
\$36,500 or more but less than \$37,399.99	5%

- (2) Commencing with the June 1, 2023 Assessment Roll (2024 tax billing cycle):

Maximum Income Exemption Eligibility	Percentage of Assessed Valuation Exempt from Taxation
Not more than \$50,000	50%
\$50,000.01 or more but less than \$50,999.99	45%
\$51,000 or more but less than \$51,999.99	40%
\$52,000 or more but less than \$52,999.99	35%
\$53,000 or more but less than \$53,899.99	30%

**Maximum Income Exemption
Eligibility**

**Percentage of Assessed Valuation
Exempt from Taxation**

\$53,900 or more but less than \$54,799.99	25%
\$54,800 or more but less than \$55,699.99	20%
\$55,700 or more but less than \$56,599.99	15%
\$56,600 or more but less than \$57,499.99	10%
\$57,500 or more but less than \$58,399.99	5%

- B. The income of the owner or the combined income of the owners of the property shall be based on the income tax year immediately preceding the date an application for exemption is filed; provided that if no federal personal income tax return is filed by the owner or owners of the property for the applicable income tax year, the owner or owners' income shall be determined based upon the amount of income that would have so been reported if such a federal personal income tax return had been filed. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no such return is filed, the calendar year. The Town Assessor shall have the discretion to seek supporting documentation from an applicant(s) when evaluating an application for this exemption.
- C. Where title to the property is vested in either married spouse, married spouses' combined income may not exceed the maximum income sum set forth above.
- D. For purposes of determining eligibility, "income" shall be computed pursuant to Real Property Tax Law § 467(3)(a)(iv) and consist of the "adjusted gross income" for federal income tax purposes as reported on the applicant's federal or state income tax return for the income tax year specified in subsection "B" above, subject to any subsequent amendments or revisions, and including tax-exempt interest or dividends that were excluded from the applicant's federal adjusted gross income, plus any social security benefits not included in such federal adjusted gross income. In accordance with Real Property Tax Law § 467(3)(a)(iv)(2), "income" shall include distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income. Losses applied to reduce an applicant's federal adjusted gross income shall be subject to the limitations specified in Real Property Tax Law § 467(3)(a)(iv)(5). For purposes of determining income eligibility, the calculation of total income shall not include a veteran's disability compensation.
- E. Except as otherwise provided for in New York State Real Property Tax Law § 467, to be eligible for exemption pursuant to this article, the property must be the legal residence and be occupied in whole or in part by the owners.
- F. Any exemption provided by this article shall be computed after all other partial exemptions allowed by law have been subtracted by the total amount assessed; provided, however, that no parcel may receive both an exemption pursuant to this article and a person with disability's tax exemption pursuant to § 288-4 of this chapter.

§ 288-4 Section 2, Exemption granted; exemption schedule.

- A. The Town of North Castle hereby grants property tax exemptions, authorized by New York State Real Property Tax Law § 459-c, to real property owned by one or more persons with disabilities, or owned by a married spouse or both spouses, or by siblings, at least one of whom has a disability, and whose income or combined income is limited by reason of such disability. They shall be exempt from taxes up to a maximum of 50% of the assessed valuation, pursuant to the following schedule and subject to the following conditions:

- (1) For the period commencing July 1, 2009, and expiring on June 30, 2022:

Maximum Income Exemption Eligibility	Percentage of Assessed Valuation Exempt from Taxation
Not more than \$29,000	50%
\$29,000.01 or more but less than \$29,999.99	45%
\$30,000 or more but less than \$30,999.99	40%
\$31,000 or more but less than \$31,999.99	35%
\$32,000 or more but less than \$32,899.99	30%
\$32,900 or more but less than \$33,799.99	25%
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\$34,700 or more but less than \$35,599.99	15%
\$35,600 or more but less than \$36,499.99	10%
\$36,500 or more but less than \$37,399.99	5%

- (2) Commencing with the June 1, 2023 Assessment Roll (2024 tax billing cycle):

Maximum Income Exemption Eligibility	Percentage of Assessed Valuation Exempt from Taxation
Not more than \$50,000	50%
\$50,000.01 or more but less than \$50,999.99	45%
\$51,000 or more but less than \$51,999.99	40%
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\$53,000 or more but less than \$53,899.99	30%
\$53,900 or more but less than \$54,799.99	25%
\$54,800 or more but less than \$55,699.99	20%
\$55,700 or more but less than \$56,599.99	15%
\$56,600 or more but less than \$57,499.99	10%
\$57,500 or more but less than \$58,399.99	5%

- B. The income of the owner or the combined income of the owners of the property shall be based on the income tax year immediately preceding the date an application for exemption is filed. If no federal personal income tax return is filed by the owner or owners of the property for the applicable income tax year, the owner or owners' income

shall be determined based upon the amount of income that would have so been reported if such a federal personal income tax return had been filed. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no such return is filed, the calendar year. The Town Assessor shall have the discretion to seek supporting documentation from an applicant(s) when evaluating an application for this exemption.

- C. Where title to the property is vested in either married spouse, the married spouses' combined income may not exceed the maximum income sum set forth above.
- D. For purposes of determining eligibility, "income" shall be computed pursuant to Real Property Tax Law § 459-c(5)(a)(iv) and consist of the "adjusted gross income" for federal income tax purposes as reported on the applicant's federal or state income tax return for the income tax year specified in subsection "B" above, subject to any subsequent amendments or revisions, and including tax-exempt interest or dividends that were excluded from the applicant's federal adjusted gross income, plus any social security benefits not included in such federal adjusted gross income. In accordance with Real Property Tax Law § 459-c(5)(a)(iv)(2), "income" shall include distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income. Losses applied to reduce an applicant's federal adjusted gross income shall be subject to the limitations specified in Real Property Tax Law § 459-c(5)(a)(iv)(5).
- E. Any exemption provided by this article shall be computed after all other partial exemptions allowed by law have been subtracted by the total amount assessed; provided, however, that no parcel may receive both an exemption pursuant to this article and a senior citizens tax exemption pursuant to § 288-3 of this chapter.
- F. Notwithstanding any other provisions of this article to the contrary, the provisions of this article shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to this article, where such person or persons are the owner or owners of such real property.

Section 3. Numbering for Codification.

It is the intention of the Town of North Castle and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of North Castle; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or

circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective date.

This chapter shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.