

Bill No. 1635-04

No. 40-05-OR

AN ORDINANCE

Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Article 809 of the Administrative Code to provide that reassessments be revenue neutral by eliminating the 105% windfall provision.

WHEREAS, ongoing, annual assessments are important to insure that the burden of property tax is shared equitably among property owners; and

WHEREAS, current law allows the County to receive a 5% windfall allowing taxing jurisdictions to collect increased revenues simply by virtue of a reassessment; and

WHEREAS, removal of the 105% cap will require the County to reduce tax rates to insure a revenue neutral reassessment that is equitable to all property owners;

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1.

Article 809, § 809.03, Real property revenue limitations, shall be amended as follows:

- A. The County shall not derive windfall benefits from annual property reassessments of the valuation of real property or from changes in the predetermined ratio of assessed valuation to market value of real estate. Following any annual reassessment or change in the predetermined ratio, the total amount of real estate tax revenue that can be received by reason of the reassessment or change in the ratio by the County from existing land, buildings and structures shall not exceed ~~105%~~ of the total amount of real estate tax revenue received by the County in the preceding year from that land, and those buildings and structures. If necessary, the County shall reduce the real estate tax rate to comply with this revenue limitation.
- B. In calculating the ~~105%~~ limit, the amount to be levied on newly constructed buildings or structures, or from increased valuations based on new improvements made to existing buildings and structures, shall not be considered.
- C. This section shall not be construed to prohibit receiving increased tax revenue. The County may raise the real estate tax rate pursuant to § 809.02, but only after an appropriate reduction of the real estate tax rate is made to comply with the limitations of this section.

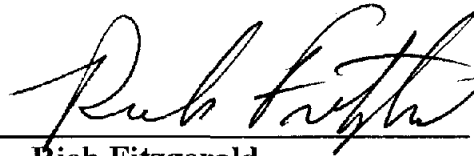
SECTION 2. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

SECTION 3. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

SPONSORED BY COUNCIL MEMBERS GASTGEB, REA, FITZGERALD, CLEARY, DEFAZIO, FRANCIS, KRESS, JABBOUR, NERONE, ROBINSON, WATT, FAWCETT, MARTONI, FRAZIER & PRICE

Enacted in Council, this 4th day of October, 2005

Council Agenda No. 1635-05



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Chief Executive Office October 14, 2005

Approved: Dan Onorato **DAN ONORATO**
Dan Onorato
Chief Executive

NEED THE STATE

Attest: Donna M. Beltz
Donna Beltz
Executive's Secretary