



Allegheny County Council

County of Allegheny
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Legislation Text

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An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Article 210 of the Administrative Code of Allegheny County, entitled “Assessment Standards and Practices,” in order to establish tax-neutral assessed values for certain eligible County taxpayers.

Whereas, the Administrative Code of Allegheny County, Article 210 is the County’s Assessments Standards and Practices ordinance; and

Whereas, the provisions contained within Article 210 do not currently contain any provisions relating to special tax-neutral assessments for any County taxpayers; and

Whereas, pursuant to Commonwealth law, specifically 16 P.S. §4902-A, a county of the second class “may, by adopting an ordinance or resolution, utilize the tax-neutral assessed value when levying the real property tax on the homestead of a qualified owner-occupant after a mandated county-wide reassessment.”; and

Whereas, pursuant to this same statute (at 16 P.S. §4903-A), the tax-neutral assessed value of a property is established such that “the assessed value of the homestead of a qualified owner-occupant shall not exceed the base year assessed value of the homestead multiplied by the tax-neutral ratio for the school district in which the homestead is located.”; and

Whereas, the tax-neutral ratio, as defined in 16 P.S. §4901-A, is “the ratio computed by dividing the total assessed values for all properties in the school district in the first year after a mandated county-wide reassessment by the assessed values for all properties in the school district in the year immediately prior to a mandated county-wide reassessment.”; and

Whereas, although the application of a tax-neutral assessed value only applies to court-ordered reassessments and within political subdivisions that have adopted a tax-neutral assessed value ordinance, and eligibility for the program is limited to homestead properties owned by individuals who qualify for rebates under the Commonwealth’s Senior Citizens Rebate and Assistance Act (now named the Senior Citizens Property Tax and Rent Rebate Assistance Act and codified at 53 P.S. §6926.1301, *et. seq.*), it is the judgment of Council that the danger of unpredictable assessed value fluctuations resulting from a court-ordered reassessment is heightened by the Pittsburgh Public Schools recently filing litigation aimed at forcing a Countywide reassessment; and

Whereas, it is further the judgment of Council that that the application of tax-neutral assessed values by the County will inure to the benefit of and help protect many of our property owners who are most vulnerable to any potential significant property tax bill fluctuations due to a court-ordered Countywide reassessment; and

Whereas, it is accordingly the desire of Council to adopt an ordinance establishing tax-neutral assessments for County real estate tax levies in accordance with the provisions of 16 P.S. §4902-A;

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

SECTION 1. Incorporation of the Preamble

The provisions of the preamble to this Ordinance are hereby incorporated in their entirety by reference herein.

SECTION 2. Amendment of the Code

Article 210 of the Administrative Code of Allegheny County, entitled “Assessment Standards and Practices,” is hereby amended and supplemented by the creation of a new §5-210.19, entitled “Tax-neutral assessments” and comprised as follows:

§ 5-210.19. Tax-neutral assessments.

A. Definitions. For the purposes of this Section only, the following words and phrases shall be construed to have the following meanings:

- (1) “Base year assessed value” shall mean the assessed value upon which the real property tax is levied by the political subdivision in the year prior to the first year real property taxes are levied under a mandated county-wide reassessment.
- (2) “Homestead,” shall have the same meaning as set forth in the act of March 11, 1971 (P.L. 104, No. 3), known as the “Senior Citizens Rebate and Assistance Act,” (now named the Senior Citizens Property Tax and Rent Rebate Assistance Act and codified at 53 P.S. §6926.1301, *et. seq.*)
- (3) “Mandated countywide reassessment” shall mean the application of new assessed values resulting from a countywide revision of assessment of real property that is completed pursuant to a court order.
- (4) “Qualified owner-occupant” shall mean any a claimant as defined by the terms of the Senior Citizens Property Tax and Rent Rebate Assistance Act who is qualified to receive a property tax rebate under the terms of the Act.
- (5) “Tax-neutral assessed value” shall mean the assessed value calculated under the terms of §5-210.19.C.
- (6) “Tax-neutral ratio” shall mean the ratio computed by dividing the total assessed values for all properties in the school district in the first year after a mandated county-wide reassessment by the assessed values for all properties in the school district in the year immediately prior to a mandated county-wide reassessment.

B. Limitation on assessed value. Allegheny County shall utilize the tax-neutral assessed value when levying the real property taxes on the homestead of a qualified owner-occupant for all tax years in which such property is subject to an assessed value calculated from, based upon, or established by a mandated county-wide reassessment.

- C. Calculation of tax-neutral assessed value. The assessed value of the homestead of a qualified owner-occupant shall not exceed the base year assessed value of the homestead as established by the mandated countywide reassessment multiplied by the tax-neutral ratio for the school district in which the homestead is located.
- D. Duration of tax-neutral assessed value. The tax-neutral assessed value of the homestead shall continue in effect until the earliest of:
- (1) The first year the owner of the homestead fails to meet the requirements to receive a property tax rebate under the Senior Citizens Property Tax and Rent Rebate Assistance Act; or
 - (2) The date of the sale or transfer of the property to a person other than the spouse of the qualified owner-occupant.
- E. Administration. Allegheny County shall administer the qualification of homeowners for a tax-neutral assessed value under this act on behalf of all other political subdivisions within the county. A person who has qualified for and received a property tax rebate under the Senior Citizens Property Tax and Rent Rebate Assistance Act shall not be required to file any additional application with the county in order to receive the tax-neutral assessed value with respect to real property taxes levied by a political subdivision adopting an ordinance or resolution under the terms of 16 P.S. §4902-A.
- F. Information. Pursuant to the terms of 16 P.S. §4906-A, the Commonwealth's Secretary of Revenue has been authorized and directed to provide Allegheny County with the names and addresses of individuals residing in the County who received a property tax rebate during the last completed calendar year. The Office of Property Assessments shall utilize information provided by the Secretary solely for the administration of the provisions of this Section, and such information shall be deemed confidential for any and all other purposes.

SECTION 3. Severability. 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 4. Repealer. 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.