

00-0-0832

(Do Not Write Above This Line)

**An Ordinance**

By: Councilmembers "Able" Mable Thomas and Sherry Dorsey

An Ordinance to regulate and provide for the calling of an election and to call an election to determine the approval or non-approval by the City of Atlanta of a new increased Homestead Exemption from City of Atlanta ad valorem taxes for Municipal purposes in the amount of \$25,000.00 of the assessed value of the Homestead for certain residents who are 65 years of age or over whose net income does not exceed \$40,000.00; and for other purposes. *Substitute*

**ADOPTED BY  
JUN 19 2000**

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred *6/15/00*

Referred To: *Committee on Council*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee <i>CC</i>	Committee _____
Date <i>6/19/00</i>	Date _____
Chair <i>Mable Thomas</i>	Chair _____
Action: Fav, Adv, Hold (see rev. side) <i>No subst.</i>	Action: Fav, Adv, Hold (see rev. side) Other: _____
Members <i>Sherry Dorsey</i> <i>Able Mable</i> <i>Sherry Dorsey</i>	Members _____
Refer To _____	Refer To _____

Committee _____	Committee _____
Date _____	Date _____
Chair _____	Chair _____
Action: Fav, Adv, Hold (see rev. side) Other: _____	Action: Fav, Adv, Hold (see rev. side) Other: _____
Members _____	Members _____
Refer To _____	Refer To _____

Committee _____	Committee _____
Date _____	Date _____
Chair _____	Chair _____
Action: Fav, Adv, Hold (see rev. side) Other: _____	Action: Fav, Adv, Hold (see rev. side) Other: _____
Members _____	Members _____
Refer To _____	Refer To _____

FINAL COUNCIL ACTION  
 2nd  
 1st & 2nd  
 3rd  
 Readings  
 Consent  
 V Vote  
 RC Vote

CERTIFIED

**CERTIFIED**  
 JUN 19 2000  
 ATLANTA CITY COUNCIL PRESIDENT  
*Robert M. Parker*

MAYOR'S ACTION

**APPROVED**  
 JUN 27 2000  
*Adrian M. Jones*  
 MAYOR



**CITY COUNCIL  
ATLANTA, GEORGIA**

**00-O-0832**

AN ORDINANCE BY  
COUNCILMEMBERS "ABLE" MABLE THOMAS  
SHERRY DORSEY  
FELICIA MOORE  
AS SUBSTITUTED BY COMMITTEE ON COUNCIL

AN ORDINANCE TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE APPROVAL OR NON-APPROVAL BY THE CITY OF ATLANTA OF A NEW INCREASED HOMESTEAD EXEMPTION FROM CITY OF ATLANTA AD VALOREM TAXES FOR MUNICIPAL PURPOSES IN THE AMOUNT OF \$25,000.00 OF THE ASSESSED VALUE OF THE HOMESTEAD FOR CERTAIN RESIDENTS WHO ARE 65 YEARS OF AGE OR OVER WHOSE NET INCOME DOES NOT EXCEED \$40,000.00; AND FOR OTHER PURPOSES

WHEREAS, the Council of the City of Atlanta (the "Council") is the governing body of the City of Atlanta (the "City"), a municipal corporation of the state of Georgia; and

WHEREAS, Georgia House of Representatives Bill 1741 (the "Act") which provides a homestead exemption from City of Atlanta ad valorem taxes for municipal purposes in the amount of \$25,000.00 of the assessed value of the homestead for certain residents who are 65 years of age or over whose net income does not exceed \$40,000.00;

WHEREAS, House Bill 1741 was passed by the Georgia House of Representatives on March 15, 2000, and

WHEREAS, House Bill 1741 was passed by the Georgia Senate on March 22, 2000, and

WHEREAS, House Bill 1741 was signed by the Governor of the State of Georgia on April 19, 2000, and



**WHEREAS**, under the Constitution and Laws of the State, it is necessary for the officers of the City charged with levying taxes, contracting debts and the like to submit to the qualified voters of the City the question of whether an increased homestead exemption from City of Atlanta Ad Valorem Taxes for Municipal Purposes in the amount of \$25,000.00 of the assessed value should be granted by the City to those certain residents who are 65 years of age or over whose net income does not exceed \$40,000.00, and to give notice thereof not less than thirty (30) days immediately preceding the date of such election at the times and in the manner provided in Sections 36-82-1 et seq. and 21-2-45.1 of the Official Code of Georgia Annotated;

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:**

**Section 1: Call of Election.** There shall be, and is hereby called to be held in the City of Atlanta on Tuesday, the 7th day of November, 2000, an election for the purpose of submitting to the qualified voters of the City, the question of whether a homestead exemption from City of Atlanta ad valorem taxes for municipal purposes in the amount of \$25,000.00 of the assessed value of the homestead for certain residents who are 65 years of age or over whose net income does not exceed \$40,000.00 should be granted or not.

**Section 2: Question To Be Voted Upon.** The ballot label to be used in the election shall have printed thereon, in brief form, the question to be determined by the voters, which shall be substantially in the following form. The qualified voters may vote for or against the following question:

"SHALL THE ACT BE APPROVED WHICH PROVIDES A NEW INCREASED HOMESTEAD EXEMPTION FROM CITY OF ATLANTA AD VALOREM TAXES FOR MUNICIPAL PURPOSES IN THE AMOUNT OF \$25,000.00 OF THE ASSESSED VALUE OF THE HOMESTEAD FOR RESIDENTS OF THE CITY WHO ARE 65 YEARS OF AGE OR OVER WHOSE NET INCOME DOES NOT EXCEED \$40,000.00?"

**Section 3: Manner of Voting.** The ballot labels for the question propounded above shall have printed thereon the word "YES" and the word "NO" in order that each voter may cast his or her vote in either the affirmative or the negative as to the question propounded. All persons desiring approval of the Act shall vote "YES", and all persons desiring rejection of the Act shall vote "NO".



**Section 4: Results of Voting.** If more than one-half of the votes cast on the question are for approval of the Act, Sections 1 through 5 of House Bill 1741 (the "Act"), included herein as Exhibit A shall become of full force and effect on January 1, 2001. If the Act is not so approved or if the election is not conducted as provided in Section 6 of House Bill 1741 (the "Act"), Sections 1 through 5 of the Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date.

**Section 5: Time and Place of Election.** The election shall be held in conjunction with the state-wide general election on Tuesday, November 7, 2000 at the regular and established polling places for holding elections in each precinct in the City. Each polling place shall be opened at 7.00 o'clock a.m. and closed at 7.00 o'clock p.m. The election shall be held in accordance and in conformity with the Constitution and laws of the United States of America and the State of Georgia.

**Section 6: Authorization to Publish Notice of Election.** The Municipal Clerk, as the Election Superintendent of the City, shall be and is hereby, authorized and instructed to publish a notice of the election once a week for a period of two (2) weeks immediately preceding the date of the election in the Fulton County Daily Report, The Atlanta Constitution, The Atlanta Journal and The Champion. Such notice shall also be published not less than thirty (30) days immediately preceding the election and the first date of publication shall be no later than 2000; provided, however that at least thirty (30) actual days shall intervene between the date of the first publication of notice in the appropriate newspaper or newspapers (such date being hereinafter referred to as the "call") and the date of the election. Such notice of election shall be in substantially the following form:



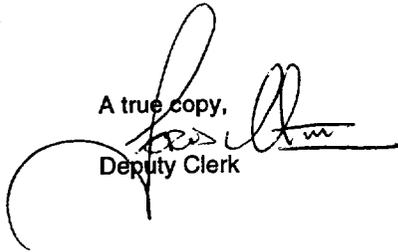
**Section 7: Election and Canvass.** The appropriate officials of the City shall take or cause to be taken all action which is required for holding the election in conformity with the Constitution and laws of the United States of America and of the State of Georgia, including the execution by the Mayor of the City of an agreement with Fulton County, Georgia for all or part of the acts to be performed in the holding of the election and the canvass of the results of the election.

**Section 8: Voter Registration.** *The books for registration of voters in the election shall remain open until the close of business on October 10, 2000.*

**Section 9: Further Action.** The Municipal Clerk of the City is hereby ordered and directed forthwith, as the Election Superintendent of the City, to take such action in conjunction with the Council as may be provided by law.

**Section 10: Election Notices; Newspapers.** The notices of the special election published pursuant to this Ordinance shall be published in the newspapers and for the periods of time specified in *Section 6* of this Ordinance, but may also be published in other newspapers and for other periods of time in order to more fully inform the voters of the City. Such other publications of the notice of election may be made in such newspapers, if any, and for such periods of time, if any, as the Municipal Clerk of the City may determine. Such other publications of the notice shall be solely for the purpose of informing voters and prospective voters of the election, and any defect in such other publications shall not affect the official publication of notice of the election or the election.

**Section 11: Conflict; Repealer.** Any and all ordinances in conflict with this Ordinance shall be and they are hereby repealed.

A true copy,  
  
Deputy Clerk

**ADOPTED by the City Council  
APPROVED by the Mayor**

**JUNE 19, 2000  
June 27, 2000**



\* \* \* [FORM OF NOTICE] \* \* \*

NOTICE OF SPECIAL ELECTION TO THE  
QUALIFIED VOTERS OF THE CITY OF ATLANTA

*YOU ARE HEREBY NOTIFIED that on Tuesday, the 7<sup>th</sup> of November, 2000, an election will be held in the City of Atlanta, Georgia (the "City"), at which election there will be submitted to the qualified voters of the City for their determination the question of whether a homestead exemption from City of Atlanta ad valorem taxes for municipal purposes in the amount of \$25,000.00 of the assessed value of the homestead for certain residents who are 65 years of age or over whose net income does not exceed \$40,000.00, should be granted or not.*

*A person shall not receive the homestead exemption granted unless that person or person's agent files an affidavit with the governing authority of the City of Atlanta, or the designee thereof, giving the person's age and the amount of income which the person and the person's spouse residing within such homestead received during the last taxable year and such additional information relative to receiving such exemption as will enable the governing authority of the City of Atlanta, or the designees thereof, to make a determination as to whether such owner is entitled to such exemption. The governing authority of the City of Atlanta, or the designee thereof, shall provide affidavit forms for this purpose.*

*The exemption shall be automatically renewed yearly as long as the owner occupies the residence as a homestead with no additional application necessary after the proper affidavit has been filed. The exemption shall not apply to or affect any state taxes, county taxes for county purposes, or City of Atlanta School District taxes for educational purposes. The homestead exemption shall be in lieu of and not in addition to any other homestead exemption applicable to City of Atlanta ad valorem taxes for municipal purposes. The exemption, if approved by the voters, shall apply to all taxable years beginning on or after January 1, 2001.*



Voters desiring to vote for the homestead exemption shall do so by voting "YES" and voters desiring to vote against the homestead exemption shall do so by voting "NO" as to the question written or printed on the ballot labels with respect to the Act. Such question shall be substantially as follows:

**"SHALL THE ACT BE APPROVED WHICH PROVIDES A NEW INCREASED HOMESTEAD EXEMPTION FROM CITY OF ATLANTA AD VALOREM TAXES FOR MUNICIPAL PURPOSES IN THE AMOUNT OF \$25,000.00 OF THE ASSESSED VALUE OF THE HOMESTEAD FOR RESIDENTS OF THE CITY WHO ARE 65 YEARS OF AGE OR OVER WHOSE NET INCOME DOES NOT EXCEED \$40,000.00?"**

*The ballot labels for the question propounded above shall have printed thereon the word "YES" and the word "NO" in order that each voter may cast his or her vote in either the affirmative or the negative as to the question propounded.*

*The several places for holding the election shall be the regular and established polling places for holding elections in each precinct in the City. Each polling place shall be opened at 7:00 o' clock a.m. and closed at 7:00 o' clock p.m. on November 7, 2000.*

*Those qualified to vote at this election shall be determined in all respects in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.*

**FOR INFORMATION ON HOW TO REGISTER AND WHERE TO VOTE, YOU MAY CALL THE FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS AT (404) 730-7072 OR INQUIRE AT THE OFFICES OF THE FULTON COUNTY, BOARD OF REGISTRATION AND ELECTIONS AT THE FULTON COUNTY ADMINISTRATION BUILDING, 141 PRYOR STREET, S.W. SUITE 4085 ATLANTA, GEORGIA. THE FINAL DAY FOR REGISTRATION TO VOTE IN SUCH ELECTION SHALL BE OCTOBER 10, 2000.**

*This notice is given pursuant to the authority of an ordinance adopted by the Council of the City of Atlanta, on \_\_\_\_\_ 2000; approved by \_\_\_\_\_.*

**CITY OF ATLANTA**

\_\_\_\_\_  
**Rhonda Dauphin Johnson**  
**Municipal Clerk/ Election Superintendent**



**EXHIBIT A**  
PAGES 1-4

Atlanta, City of; homestead exemption; certain residents

- |                   |                 |                 |
|-------------------|-----------------|-----------------|
| 1. Reed 52nd      | 2. Stanley 49th | 3. Stanley 50th |
| 4. McClinton 68th | 5. Mobley 69th  | 6. Brooks 54th  |

House Comm: LLeg	/	Senate Comm: SLGO	/
House Vote: Yeas 129	Nays 0	Senate Vote: Yeas 44	Nays 0

House	Action	Senate
3/13/00	Read 1st Time	3/16/00
3/14/00	Read 2nd Time	
3/15/00	Favorably Reported	3/22/00
3/15/00	Read 3rd Time	
3/15/00	Passed/Adopted	3/22/00
4/3/00	Sent to Governor	
4/19/00	Signed by Governor	
630	Act/Veto Number	
4/19/00	Effective Date	

Code Sections amended:

**First Reader**

- |                   |                 |                 |
|-------------------|-----------------|-----------------|
| 1. Reed 52nd      | 2. Stanley 49th | 3. Stanley 50th |
| 4. McClinton 68th | 5. Mobley 69th  | 6. Brooks 54th  |

HB 1741

A BILL to provide a homestead exemption from City of Atlanta ad valorem taxes for municipal purposes in the amount of \$25,000.00 of the assessed value of the homestead for certain residents of that city who are 65 years of age or over whose net income does not exceed \$40,000.00; and for other purposes.

**Full Text**

HB 1741

LC 18 0367

**A BILL TO BE ENTITLED  
AN ACT**

- 1 To provide a homestead exemption from City of Atlanta ad
- 2 valorem taxes for municipal purposes in the amount of
- 3 \$25,000.00 of the assessed value of the homestead for
- 4 certain residents of that city who are 65 years of age or



ver whose net income does not exceed \$40,000.00; to provide definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 SECTION 1.

13 For purposes of this Act, the term:

14 (1) "Ad valorem taxes for municipal purposes" means all  
15 ad valorem taxes for municipal purposes levied by, for,  
16 or on behalf of the City of Atlanta, including, but not  
17 limited to, taxes to pay interest on and to retire  
18 bonded indebtedness.

19 (2) "Homestead" means homestead as defined and qualified  
20 in Code Section 48-5-40 of the O.C.G.A.

21 (3) "Net income" means the resident's net income  
22 together with the net income of the resident's spouse  
23 who also occupies and resides at such homestead, as net  
24 income is defined by Georgia income tax law.

25 (4) "Senior citizen" means a person who is 65 years of  
26 age or over on or before January 1 of the year in which  
27 application for the exemption under this Act is made.

28 SECTION 2.

29 (a) Each resident of the City of Atlanta who is a senior  
30 citizen and whose net income does not exceed \$40,000.00 is  
31 granted an exemption on that person's homestead from all  
32 City of Atlanta ad valorem taxes for municipal purposes in

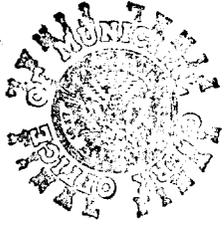
-1-

LC 18 0367

1 the amount of \$25,000.00 of the assessed value of that  
2 homestead. The value of that property in excess of such  
3 exempted amount shall remain subject to taxation.

4 (b) A person shall not receive the homestead exemption  
5 granted by subsection (a) of this section unless the person  
6 or person's agent files an affidavit with the governing  
7 authority of the City of Atlanta, or the designee thereof,  
8 giving the person's age and the amount of income which the  
9 person and the person's spouse residing within such  
10 homestead received during the last taxable year and such  
11 additional information relative to receiving such exemption  
12 as will enable the governing authority of the City of  
13 Atlanta, or the designee thereof, to make a determination as  
14 to whether such owner is entitled to such exemption. The  
15 governing authority of the City of Atlanta, or the designee  
16 thereof, shall provide affidavit forms for this purpose.

17 SECTION 3.



RCS# 2026  
6/19/00  
2:54 PM

Atlanta City Council

Regular Session

00-0-0832

REGULATE AND PROVIDE FOR THE CALLING FOR  
AN ELECTION -HOMESTEAD EXEMPTION  
ADOPT *Sub A*

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	B Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

00-0-0832