

**TOWN OF BARTONVILLE**

**ORDINANCE 491-10  
2010 AD VALOREM TAX EXEMPTIONS**

**AN ORDINANCE DECLARING ALL PROPERTY TO BE SUBJECT TO 2010 AD VALOREM TAXATION UNLESS EXEMPTED BY LAW; ADOPTING A VALUE FOR AGE 65 OR OLDER AND DISABLED PERSON EXEMPTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL OTHER ORDINANCES OF THE TOWN OF BARTONVILLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS,** in accordance with 302.001(a) of the Texas State Property Tax Code, the Town Council of the Town of Bartonville, Texas, may levy and collect ad valorem taxes for current expenses for the Fiscal Year 2010-2011; and

**WHEREAS,** said Property Tax Code provides that certain properties are defined as exempt and are not subject to ad valorem taxation; and

**WHEREAS,** in addition to statutory exemptions, the governing body of a municipality may also elect to adopt an additional residential homestead exemptions.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS:**

**SECTION 1.**

**(AD VALOREM TAXATION AND STATUTORY EXEMPTIONS)**

All property within the corporate Town limits of the Town of Bartonville, Texas, be it real, personal, or mixed, is hereby declared to be subject to ad valorem taxation unless the property is defined as exempt under Chapter 11 of the Texas State Property Tax Code.

**SECTION 2.**

**(AGE 65/DISABLED PERSON EXEMPTION)**

***IN ADDITION TO THE EXEMPTIONS PROVIDED FOR IN SECTION 1 OF THIS ORDINANCE,*** disabled persons or persons age 65 or older will be allowed an exemption of \$50,000 for 2010 ad valorem taxes in accordance with Section 11.13(d, e, and q.) of the Texas State Property Tax Code. If a person is BOTH AGE 65 OR OLDER AND DISABLED, he/she may claim either the "age 65 or older exemption" or the "disabled person" exemption but **MAY NOT CLAIM BOTH.** In this section, "disabled" is defined as under a disability for purposes of payment of disability insurance benefits under federal old-age, survivors, and disability

insurance.

**SECTION 3.**  
**(CUMULATIVE CLAUSE)**

This Ordinance shall be cumulative of all provisions of Ordinances of the Town of Bartonville, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**SECTION 4.**  
**(SEVERABILITY CLAUSE)**

It is hereby declared to be the intention of the Town Council of The Town of Bartonville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 5.**  
**(SAVINGS CLAUSE)**

All rights and remedies of the Town of Bartonville are expressly saved as to any and all violations of the provisions of any Ordinances affecting ad valorem tax exemptions, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**  
**(ENGROSSMENT AND ENROLLMENT)**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 7.**  
**(EFFECTIVE DATE)**

This Ordinance shall be in full force and effect upon passage and publication in the official newspaper.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by a vote of \_\_\_ to \_\_\_ on this the 20<sup>th</sup> day of April 2010.

APPROVED:

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Ron Robertson, Mayor

(Seal)

ATTEST:

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Debbie E. Millican, Town Administrator