

**BOROUGH OF BERGENFIELD
PUBLIC NOTICE**

ORDINANCE 17-2503 - AN ORDINANCE ENTITLED "TOTALLY DISABLED VETERAN'S TAX EXEMPTIONS"

was introduced at a regular meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, March 7, 2017 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Executive Council Chambers, Bergenfield Municipal Center, 198 North Washington Avenue, Bergenfield, New Jersey on Tuesday, March 21, 2017 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement for this ordinance is to allow for either a totally disabled veteran or surviving spouse of a veteran to obtain municipal property tax relief upon proper claim, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey.

Marie Quinones, RMC
Borough Clerk
Dated: March 10, 2017

**AN ORDINANCE OF
THE BOROUGH OF BERGENFIELD, NEW JERSEY**

ORDINANCE NO. 17-2503

**AN ORDINANCE ENTITLED "TOTALLY DISABLED VETERAN'S TAX
EXEMPTIONS"**

WHEREAS, the Borough of Bergenfield ("Borough") has determined that disabled veterans residing in the Borough shall be allowed to obtain municipal property tax relief upon proper claim with the Borough.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen, State of New Jersey, as follows:

1. Section _____ shall be added to the Borough Code, establishing rules and regulations for tax abatements for totally disabled veterans. This section shall read as follows:

§ _____ Totally Disabled Veteran's Tax Exemptions.

a. The Borough will allow for either a veteran or surviving spouse of a veteran to obtain municipal property tax relief upon proper claim. An eligible veteran shall be defined as a member of the armed forces who was either honorably discharged or released under honorable circumstances from active service in the time of war or has been declared by the United States Veterans Administration to be one hundred (100%) percent permanently disabled.

b. In order to qualify for the municipal tax exemption, the veteran or someone on his/her behalf under oath must file a written claim with the Tax Assessor's office. The Tax Assessor's office will supply the applicant with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

1. reason for the exemption;
2. a description of the property for which the exemption is claimed;

3. a certificate of claimant's honorable discharge or release under honorable circumstances from active service, in time of war and a certificate/letter from the United States Veteran's Administration or its successors, certifying to a service-connected disability.

c. In order for a surviving spouse of a veteran to qualify for the municipal tax exemption, the spouse under oath, must file a written claim with the Tax Assessor's office. The Tax Assessor's office will supply the surviving spouse with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

1. proof to establish that the spouse is the owner of legal title to the premises on which the exemption is made;
2. that the claimant occupies the dwelling house on said premises as the claimant's legal resident in the State of New Jersey;
3. that the veteran has been declared by the United States Veterans Administration to have service-connected disability or that the veteran shall have been declared to have died in active service in time of war;
4. that the veteran is or would have been entitled to exemption at the time of death;
5. the claimant is a resident of the State of New Jersey who has not remarried.

d. In determining an award for a municipal tax exemption, the Borough has determined that the Borough will only return municipal property taxes for the current year and prior year but not greater than for a twelve (12) month period in the aggregate with a cap amount not to exceed \$10,000.00 since retroactive refunds have a financial impact upon the Borough which must be compensated for by nonexempt taxpayers. In the event that the Veteran's Administration determines that a veteran's disability date is greater than twelve (12) months from the date the applicant submits his/her application with the Tax Assessor's office, the Borough will only be obligated to return taxes for a period of no greater than twelve (12) months with a cap amount not to exceed \$10,000.00 from receipt of a completed application to the Tax Assessor. All applicants providing the requisite proof under this section will be granted a lifetime tax exemption on the Borough owned property.

3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed to be valid and effective.

5. This ordinance shall take effect immediately upon passage and publication in accordance with law.

Introduced: March 7, 2017

Adopted:

Approved:

Norman Schmelz, Mayor

Attest: _____
Corey Gallo
Borough Administrator