

ORDINANCE 2013-09-01

AN ORDINANCE OF THE CITY OF WESTON, TEXAS ADOPTING A RESIDENTIAL HOMESTEAD EXEMPTION FOR PROPERTY OWNERS WHO ARE DISABLED IN ACCORDANCE WITH THE TEXAS TAX CODE; ESTABLISHING THE AMOUNT OF SUCH EXEMPTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Section 11.13(d) of the Texas Tax Code provides that the City Council may adopt an exemption from taxation of a portion of the appraised value of the residence homestead of disabled individuals or individuals who are 65 years of age or older; and

WHEREAS, the City Council previously adopted a residence homestead exemption for persons age 65 and older pursuant to Section 11.13(d); and

WHEREAS, the City Council now desires to adopt a residential homestead exemption for individuals who qualify for disability benefits under the Federal Old Age, Survivors, and Disability Insurance Program pursuant to Section 11.13 of the Texas Tax Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS:

SECTION 1.

That findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

Homestead exemption for the disabled.

- (a) Pursuant to Section 11.13 of the Texas Tax Code, from and after January 1, 2014, \$20,000 of the assessed value of residence homesteads, as defined by law, of an individual (regardless of age) who qualifies for disability benefits under the Federal Old Age, Survivors, and Disability Insurance Program, shall be exempt from taxation by the City of Weston.
- (b) An eligible disabled person who is 65 years of age or older may not receive the residence homestead exemption for qualifying both as “disabled” and “65 or older”, but may choose either.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances of the City of Weston, Texas, as amended, 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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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.

It is hereby declared to be the intention of the City Council 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 shall 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 and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage by the City Council.

PASSED AND APPROVED on this 5th day of September, 2013.



Patti Harrington, Mayor

ATTEST:



City Secretary