

ORDINANCE NO. 4490

AN ORDINANCE to amend and reordain Sections 3-2-185 (APPEAL OF REAL ESTATE ASSESSMENTS TO BOARD OF EQUALIZATION) and 3-2-187 (ASSESSMENT OF NEW BUILDINGS SUBSTANTIALLY COMPLETED) of Division 1 (REAL ESTATE), of Article M (LEVY AND COLLECTION OF PROPERTY TAXES), of Chapter 2 (TAXATION), of Title 3 (FINANCE, TAXATION AND PROCUREMENT), of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Division 1 (Real Estate), of Article M (Levy and Collection of Property Taxes), of Chapter 2 (Taxation), of Title 3 (Finance, Taxation and Procurement), of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by enacting amended Sections 3-2-185 and 3-2-187 to read as follows:

Sec. 3-2-185 Appeal of real estate tax assessments to board of equalization.

(a) Any owner or lessee of real estate upon which taxes have been levied as provided by section 3-2-181 of this code who seeks to appeal such assessment shall make application to the board of equalization of the city to correct the assessed valuation on which the taxes were levied upon such real estate, provided any such application is made in writing and filed with the director of real estate assessments or presented to a member of the board of equalization by July 1 of the year in which the taxes are levied with the exception of real estate tax assessments levied after July 1 pursuant to section 58.1-3292.1 of the Code of Virginia, 1950, as amended and section 3- 2-187 of this code, or if the assessment is otherwise changed by the director during the tax year subsequent to July 1.

(b) Appeals of real estate tax assessments levied after July 1 pursuant to section 58.1-3292.1 of the Code of Virginia (1950), as amended, and section 3-2-187 of this code, shall be filed with the board of equalization within forty-five days after the notice of assessment is issued.

(c) An appeal from the board of equalization=s determination of the appeal may be made to the Circuit Court of the City of Alexandria as provided in the Code of Virginia. Hearing before the board of equalization is a prerequisite to filing of an appeal in that court.

Sec. 3-2-187 Supplemental assessment of new buildings substantially completed.

(a) All new buildings shall be taxed upon the completed portion of the building, which was not complete on January 1 of the year in which taxes are levied, when substantially completed or fit for use and occupancy, regardless of the date of completion or fitness during the tax year, and the director of real estate assessments shall enter in the books the fair full market value of such building.

(b) No partial, supplemental assessment as provided herein shall become effective until information as to the date and amount of such assessment is recorded in the department of real estate assessments and made available for public inspection. The total tax on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building, computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the tax upon the assessment of such new building as it existed on January 1 of that assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears to the entire year.

(c) With respect to any supplemental assessment made under this section after November 1 of any year, no penalty for nonpayment shall be imposed until the last to occur of (i) December 5 of such year or (ii) 30 days following the date of the official billing.

(d) Appeals to the board of equalization of supplemental assessments levied under this section after July 1 shall be filed in accordance with section 3-2-185.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

Final Passage: June 16, 2007

C:\Documents and Settings\kyakubow\Local Settings\Temp\notesC9812B~-2016243.wpd