

RESOLUTION # 2019-09

At a regular meeting of the City Council of the City of Montague, County of Muskegon, Michigan held on October 21, 2019, at the City Hall in said City at 5:30 p.m.

PRESENT: Tim Todd, Jeri Wonders, Lisa Kiel, Claude Babcock, Susan Newhof, Bruce Froelich, Tom Lohman

ABSENT: None

The following resolution was offered by Councilmember Bruce Froelich and was supported by Councilmember Tim Todd:

POVERTY EXEMPTION RESOLUTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council; and

WHEREAS, the principal residence of persons, who the City Assessor and Board of Review determine by reason of poverty to be unable to contribute to the public charges, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994 as amended, the City of Montague, Muskegon County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible a person shall do all the following on an annual basis:

- 1) File a claim with the Board of Review after January 1 but before the day prior to the last day of the board of review, on a form provided by the City of Montague. The filing of the claim constitutes an appearance before the Board of Review for the purpose of preserving the right to appeal to the Michigan Tax Tribunal.
- 2) Meet the federal poverty guidelines updated annually in the federal register by the United States department of health and human services under authority of section 673 of subtitle B of title VI of the omnibus budget reconciliation act of 1981, Public Law 97-35, 42 USC 9902.
- 3) Provide proof of income and assets, including any property tax credit returns to be considered for exemption.
- 4) Attach copies of the following:
 - a. Federal and State Income Tax Forms for ALL persons residing in the home, if legally required to be filed for the immediate or immediately preceding year;
 - ~~b. Property Tax Credit Form;~~
 - c. Copy of deed or land contract of property for which exemption is requested;
 - d. Driver's license or other valid form of identification;

- 5) Meet maximum asset levels of the following:
- a. Liquid assets may not exceed \$2,500.00
 - b. Transportation – one vehicle per income provider
 - c. Recreational type vehicles – none
 - d. Total assets may not exceed \$5,000.00, excluding your homestead and vehicle(s).
 - e. Must not own more than one homestead

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Montague, as follows:

The Board of Review makes the final decision as to whether the poverty exemption should be granted and the amount of exemption. That the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

AYES: Tim Todd, Jeri Wonders, Lisa Kiel, Claude Babcock, Susan Newhof, Bruce Froelich, Tom Lohman

NAYS: None

RESOLUTION DECLARED ADOPTED

Michelle Landis
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Montague, County of Muskegon, Michigan, at a regular meeting held on October 21, 2019, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267 of the Public Acts of Michigan of 1976.

Michelle Landis
City Clerk