

Ordinance No. 558

AN ORDINANCE TO AMEND THE CITY OF NEW CASTLE MUNICIPAL CODE REGARDING THE GOOD WILL FIREFIGHTER AND LADIES AUXILIARY REAL PROPERTY TAX EXEMPTION

WHEREAS, the Council of the City of New Castle (“City Council”) possesses the authority to adopt, amend, modify, or repeal the City of New Castle Municipal Code (“City Code”); and

WHEREAS, the City of New Castle recognizes and appreciates the service of the Good Will Fire Company in protecting and supporting the City of New Castle and its residents; and

WHEREAS, the existing property tax relief afforded to Good Will Firefighters and Ladies Auxiliary members is structured as a reimbursement instead of an exemption; and

WHEREAS, the City Council finds that restructuring the existing tax relief from a reimbursement to a tax exemption would reduce administrative burdens and bring the firefighter relief in alignment with the other tax relief categories provided under the City Code and is therefore prudent and appropriate and in the best interest of the City and its residents.

NOW, THEREFORE, making the express finding that the provisions of this Ordinance enhance and promote the health, safety, and welfare of the City of New Castle, be it ordained by the Council of the City of New Castle Council as follows:

SECTION 1: City Code Chapter 221, Taxation, Article VIII, Good-Will Firefighter and Ladies Auxiliary Exemption, Section 221-27, Qualifications; amount of exemption, is hereby amended as follows (with new language identified in bold, underlined and deleted text shown by bold, strikethrough text):

§ 221-27 Qualifications; amount of exemption.

- A. Upon receipt of an appropriate application for the exemption, the City will provide resident firefighters **an exemption from municipal taxation on real property that they own within the City** ~~a City property tax refund~~ of up to \$500 per person, or up to \$900 per household with two or more resident firefighters, as defined in § 221-27B. **Such exemptions** ~~Refunds~~ are further limited by the amount of City taxes **levied paid**, as the City will not **provide exemptions** ~~issue refunds~~ in excess of the amount of City taxes **levied paid** in the application year, nor will any unused portion of the maximum **exemption** ~~refund~~ amount be carried forward to subsequent fiscal years.
- B. A “resident firefighter” is defined as an active member (career or volunteer) of the Good-Will Fire Company or Good-Will Ladies Auxiliary, who is legally domiciled within the City of New Castle as of July 1 of the fiscal year for which exemption is sought. Mere seasonal or temporary residence within the City of New Castle, of whatever duration, shall not constitute domicile within the City of New Castle. Absence from the City of New Castle for a period of 12 months shall be prima facie evidence of abandonment of domicile in the City of New Castle. The burden of establishing domicile shall be upon the claimant.
- C. It shall be the resident firefighter’s responsibility to initiate an application for the exemption; the City will not proactively seek applications from resident firefighters or independently monitor their status or availability.
- D. Applications for the exemption must be received no later than **September 1** ~~December 1~~ **for fiscal year July 1, 2025 to June 30, 2026 and prior to May 1 of each subsequent year for the fiscal year beginning on the following July 1.** ~~for taxes paid in the prior fiscal year (due on September 30).~~ Resident firefighters that do not **submit a timely application** ~~apply on or before December 1~~ will forfeit their

~~exemption rebate~~ for that tax year. The City will not retroactively award ~~exemptions rebates~~, and all late submitted applications will be denied. **An application must be made each year in order to qualify for the exemption.**

SECTION 2: City Code Chapter 221, Taxation, Article VIII, Good-Will Firefighter and Ladies Auxiliary Exemption, Section 221-28, Application for exemption, is hereby amended as follows (with new language identified in bold, underlined and deleted text shown by bold, strikethrough text):

§ 221-28 Application for exemption.

- A. To receive the exemption, the resident firefighter must submit an appropriate application form and provide:
- (1) Certification from the Fire Chief that the resident firefighter is ~~was~~ active pursuant to the applicable bylaws of the Good-Will Fire Company and/or Good-Will Ladies Auxiliary **for the twelve-month period for which the exemption is sought.**
 - (2) Proof of ownership and residence.
 - ~~(3) A receipt showing payment of the paid City of New Castle property tax bill on or before September 30.~~
- B. The City retains the right to determine final eligibility for the exemption and may refuse the exemption to applicants unable to provide the foregoing documentation.
- C. **When because the resident firefighter is no longer active pursuant to the applicable bylaws of the Good-Will Fire Company and/or Good-Will Ladies Auxiliary, or because of the sale of the property or other transfer of its ownership, a property no longer qualifies for an exemption granted under this Article, the exemption shall terminate at the end of the then current tax quarter. The full tax,**

prorated, on the property shall be deemed to be levied upon the commencement of the next tax quarter and if not paid shall be subject to the normal penalties for real estate taxes in the City of New Castle.

SECTION 3: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decisions shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4: In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

SECTION 5: This Ordinance shall become effective immediately upon its adoption and approval.

First Reading August 12, 2025

Second Reading

Signed this ____ day of ____, 2025

Suzanne Souder, President of City Council

Attest: _____
Courtaney Taylor, City Clerk

Approved: _____
Valarie Leary, Mayor