

**TOWNSHIP OF WASHINGTON TOWNSHIP**

**ORDINANCE NO. 2024-07**

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADDING ARTICLE III, PROPERTY TAX RELIEF TO CHAPTER 424 OF THE CODE OF THE TOWNSHIP OF WASHINGTON TO GRANT PROPERTY TAX RELIEF TO THE CITIZENS OF THE TOWNSHIP**

**WHEREAS**, pursuant to the New Jersey Constitution, Art. VIII, Sec. 1, Para. 1, a local government has the authority to tax real property within the Municipality for the purposes of supporting the municipal government; and

**WHEREAS**, the local property tax also supports the local school district and county government;

**WHEREAS**, for the 2023-2024 school year, the Washington Township School District and its Board of Education (the "School District") failed to adopted a school budget as required by law;

**WHEREAS**, as a result of the failure to act by the School District, the Commissioner of the State Board of Education adopted a budget on behalf of the School District;

**WHEREAS**, the budget duly adopted by the Commissioner of the State Board of Education was significantly higher than those budgets adopted in years past, specifically, \$473,871;

**WHEREAS**, the taxpayers of Washington Township (the "Township") are being forced to unnecessarily subsidize the amount of \$473,871 by way of an increase in the School District portion of their property tax bills;

**WHEREAS**, in addition to the higher tax rate, due to the delay in the process as a result of the School District's failure to adopt a budget, three (3) quarters of tax bills all came due on February 29, 2024, specifically, 2023 3Q, 2023 4Q and 2024 1Q;

**WHEREAS**, the Committee of the Township of Washington recognizes the hardship that this extra financial burden has caused its citizens and taxpayers;

**WHEREAS**, after years of prudent management, the Township of Washington has surplus revenue;

**WHEREAS**, the Township Committee is desirous to use a portion of its surplus revenue to ease the impact of increased tax bills faced by it residents, as a one-time property tax refund equal to \$473,871, to be distributed to the taxpayers of the Township on a pro-rata basis based upon the assessed value of property owned, less any full or partial credits such that no taxpayer would receive any refund above or beyond the amount of taxes actually paid;

**NOW THEREFORE, BE IT ORDAINED**, by the Committee of the Township of Washington, County of Burlington and State of New Jersey, as follows:

**SECTION 1.** Chapter 424, of the Township Code is hereby amended as follows:

ARTICLE III – PROPERTY TAX RELIEF

§424-8 – Purpose. In recognition of the increased tax burden upon the residents of Washington Township as a result of the Washington Township Board of Education’s failure to adopt a school budget for the 2023-2024 school year and the State Board of Education’s adoption of a budget which increased the local school budget by \$473,871, the Township of Committee hereby creates a property tax relief fund. All provisions of the Article shall be read to fairly and equally reimburse the taxpayers of Washington Township, on a pro-rata basis, for the increased amounts paid in taxes for third quarter 2023, fourth quarter 2023 and first quarter 2024.

§424-9 – Creation of Fund. The Township of Washington Township will hereby include in the its 2024 budget a line item to create a “Resident Property Tax Relief Fund” (“Relief Fund”) in the amount of \$473,871.

§424-10 – Calculation. The Relief Fund shall be distributed to the taxpayers of the Township of Washington on a pro rata basis based upon the assessed value of the property for the 2023 tax year. No taxpayer whose real property taxes are frozen and or paid/subsidized by the State of New Jersey or any other public entity shall receive a refund.

§424-11 – Distribution. The payments shall be applied as a credit toward the taxpayers 2024 municipal tax bill. The manner and timing of the payment by credit to the taxpayer shall be solely determined by the Townships Tax Collector and Chief Financial Officer.

§424-12 – Eligibility. In order to qualify for a distribution from the Relief Fund, an individual must have paid local property taxes to Washington Township for the third quarter 2023, fourth quarter 2023 or first quarter 2024 and own property in Washington Township as of April 1, 2024, such that the payment can be applied toward a future tax bill. In no case is any taxpayer eligible for a refund unless it can be applied as a credit toward a future tax bill. A credit from the Relief Fund will be an automatic refund, no application or other action is necessary on the part of the taxpayer.

§424-13 – Maximum Refund. In no case shall any taxpayer receive more than his or her total payment of taxes for the third and fourth quarters of 2023 and first quarter of 2024.

§424-14 – Return of Excess to Surplus Fund. After all eligible funds have been distributed if there is any remaining fund in the Relief Fund, said funds shall be returned to the Township surplus.

**SECTION 2.** If any section, paragraph, subsection, clause, or provision of this Amendment shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

**SECTION 3.** If any ordinances or parts thereof are in conflict with the provisions of this Ordinance those provisions shall be repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall take effect upon passage and publication in accordance within applicable law.

MOTION:

SECOND:

Roll Call Vote

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

### **NOTICE**

The above entitled ordinance was passed on first reading at a meeting of the Township Committee of the Township of Washington on May 7, 2024. It will be further considered for final passage after a public hearing at the regularly scheduled meeting to be held on June 11, 2024 at the Municipal Building, 2436 Route 563, Egg Harbor, New Jersey at 7:00 PM, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be heard. Copies of this ordinance will be made available at the Municipal Clerk's office to members of the general public who shall request them.

Lisa H. Hand, RMC, Municipal Clerk