INTRODUCED: March 11, 2024

AN ORDINANCE No. 2024-082

To amend City Code § 26-361, concerning the due date, payment without penalty, and interest chargeable on delinquent taxes, 26-362, concerning the due date when assessed by the State Corporation Commission, penalty, and rates of interest chargeable on delinquent taxes, and 26-430, concerning the penalty for delinquent taxes, for the purpose of requiring the Department of Finance to send to taxpayers assessed with taxes and levies for that year by United States mail a bill setting forth the amount due not later than 45 days prior to the payment due date for such taxes and levies.

Patron – Ms. Lynch, Ms. Robertson, Ms. Newbille, President Nye, Vice President Lambert, Ms. Jones and Mr. Addison

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 25 2024 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 26-361, 26-362, and 26-430 of the Code of the City of Richmond (2020) is hereby **amended** and reordained as follows:

Sec. 26-361. Due date; payment without penalty; interest chargeable on delinquent taxes.

(a) Taxes levied on real estate shall be due and payable on the first day of the tax year for which they are levied. Such taxes may be paid without penalty during the year for which they

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 25 2024 REJECTED: _____ STRICKEN: _____

are levied if one-half of such taxes are paid on or before January 14 of that year and the remaining one-half of such taxes are paid on or before June 14 of that year.

(b) The Collector shall give notice of each due date for real estate taxes by publication as required by Code of Virginia, § 58.1-3911 and in addition, the Department of Finance shall as soon as reasonably possible in each year, and not later than 45 days prior to each due date for both first and second half of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill setting forth the amount due, with such mailing provided to the taxpayer at the last known address.

(c) Whenever any taxpayer shall fail, refuse or neglect to pay the installment of taxes on or before the due date, there shall be added to the installment of taxes a penalty of ten percent thereof.

(d) Whenever an installment of such taxes is not paid on or before the due date, such unpaid taxes on the following day shall be deemed to be delinquent. Interest on such unpaid taxes shall be charged annually thereon at the rate of ten percent from the day following the due date pursuant to Code of Virginia, § 58.1-3916.

(e) Except as provided otherwise in Section 26-362, this section shall not apply to taxes on real estate assessed for taxation by the State Corporation Commission.

Sec. 26-362. Due date when assessed by State Corporation Commission; penalty; rates of interest chargeable on delinquent taxes.

(a) Taxes levied on real estate assessed for taxation by the State Corporation Commission shall be due and payable on the first day of the tax year for which they are levied. The Department of Finance shall as soon as reasonably possible in each year, and not later than 45 days prior to each due date for both first and second half of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill setting forth

the amount due, with such mailing provided to the taxpayer at the last known address. Credit on account of such taxes will be allowed during the year for which they are levied by payment of one-half of such taxes on or before January 14 of that year and of the remaining one-half of such taxes on or before June 14 of that year of the amount of taxes paid or levied for the preceding tax year. When the assessment of such real estate is made by the State Corporation Commission and the assessment is certified to the Assessor, the taxes due and payable shall be computed. If the payment made on account of the taxes exceeds the amount of the taxes so computed, the excess shall be refunded to the taxpayer. If the payment made on account of the taxes is less than the amount of the taxes so computed, the deficit may be paid by the taxpayer without penalty within 30 days after the taxpayer is given notice thereof. If the deficit is not paid within such 30 days, a penalty of ten percent of the amount of the deficit shall be added thereto.

(b) Whenever any such taxpayer shall fail, refuse or neglect to pay any installment of taxes paid or levied for the preceding tax year on or before the date on which such installment is due, there shall be added to the amount of the taxes for the current year, when computed, a penalty of ten percent to be retroactive to the respective due date in the year in which levied.

(c) Whenever an installment of the taxes so computed is not paid by the due date, such unpaid taxes shall be deemed to be delinquent. Interest on such unpaid taxes shall be charged thereon at the rate set forth in Section 26-361 from the day following the due date pursuant to Code of Virginia, § 58.1-3916.

Sec. 26-430. Penalty.

(a) Whenever any taxpayer shall fail, refuse or neglect to pay any property taxes levied under Sections 26-458 and 26-460 on or before June 5 or within 60 days of acquiring a tax situs in the City in the year for which they are levied, there shall be added a penalty of ten percent of the

total taxes due or $10.00, whichever is greater. In no case shall the penalty exceed the amount of the tax. The Collector shall send a bill to the taxpayer at such taxpayer's last known address not later than 45 days before the due date.

(b) Whenever any person shall fail, refuse or neglect to pay any tangible personal property or machinery and tools taxes levied under Section 26-459 on or before June 5 of the tax year, there shall be added a penalty of ten percent of the taxes due or $10.00, whichever is greater. In no case shall the penalty exceed the amount of the tax. Any tax remaining unpaid, in whole or in part, 60 days after the due date of each year shall incur an additional penalty of five percent of the tax due and unpaid. The Collector shall send a bill to the taxpayer at such taxpayer's last known address not later than 45 days before the due date.

(c) If any person shall fail, refuse or neglect to remit to the collector any taxes required to be collected and paid under Articles VIII through X and XVII of this chapter within the time and amount specified, there shall be added to such tax a penalty of ten percent or $10.00, whichever is greater. In no case shall the penalty exceed the amount of the tax.

§ 2. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:
TESTE:
Camelia D. Reid
City Clerk

RECEIVED
By City Attorney at 8:46 am, Mar 04, 2024

Richmond City Council

The Voice of the People — Richmond, Virginia

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO **Laura Drewry, Richmond City Attorney**

THROUGH LaTesha S. Holmes, Council Chief of Staff

FROM LaTanja Davenport, Council Budget Analyst
Office of the Council Chief of Staff

COPY Stephanie Lynch, 5th District Council Member
Tabrica Rentz, Deputy City Attorney
Adam Poser, Deputy Council Chief of Staff
Amy Robins, 5th District Liaison

DATE February 27, 2024

PAGE/s 2

TITLE: Mailing of Real Estate and Personal Property Bills

This is a request for the drafting of an **Ordinance** ☒ **Resolution** ☐

REQUESTING COUNCILMEMBER/PATRON

Councilmember Stephanie Lynch

SUGGESTED STANDING COMMITTEE

Finance & Economic Development

ORDINANCE/RESOLUTION SUMMARY

The patron requests the Department of Finance to as soon as reasonably possible in each year, not later than 45 days prior to the due date of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill or bills setting forth the amounts due. The mailing shall be provided to the taxpayer last known address.

Richmond City Council | 900 East Broad Street, Suite 200 | Richmond, Virginia 23219 | 804.646.5345 (tel) | 804.646.5468 (fax) | council.richmondva.gov

BACKGROUND

The request amends sections 26-361, 26-362. And 26-430 of the City of Richmond Code.

Current State Code:

§ 58.1-3912. Local tax officials to mail certain tax documents to taxpayers; penalties; electronic transmission.

A. The treasurer of every city and county shall, as soon as reasonably possible in each year, but not later than 14 days prior to the due date of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill or bills setting forth the amounts due.

The requested date of introduction is March 11, 2024.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes ☐ No ☒
Budget Amendment Required	Yes ☐ No ☒
Estimated Cost or Revenue Impact	$ N/A

Note: Costs and operation impacts are not known at this writing.

Attachment/s Yes ☒ No ☐

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/srs