

**ORDINANCE FOR THE PRORATION OF
PERSONAL PROPERTY TAXES**

WHEREAS, pursuant to the provisions of Virginia Code Annotated 58.1-3516 (1996 Cum. Supp.) as amended, a Town may provide by ordinance for the levy and collection of personal property taxes on motor vehicles, trailers, semitrailers which have acquired a situs within the Town or loses its situs in the Town after the tax day for the balance of the tax year; and

WHEREAS, the Town of Parksley deems such levy and collection of personal property tax on the aforesaid personal property and the proration of said tax on a monthly basis to be reasonable and necessary, and

WHEREAS, the Town of Parksley by prior Ordinance already imposes a personal property tax:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF PARKSLEY OF THE COUNTY OF ACCOMACK, VIRGINIA:

SECTION 1. The personal property tax levied by the Town of Parksley, by prior Ordinance, shall be prorated on a monthly basis, as hereinafter set forth. For purposes of said proration, a period of more than one-half (1/2) of a month shall be counted as a full month and a period of less than one-half (1/2) of a month shall not be counted.

SECTION 2. When any personal property subject to the Town of Parksley personal property tax loses its situs within the Town of Parksley after January 1 of any year, hereafter referred to as the "tax day", or after the day on which it acquires a situs, hereafter referred to as the "situs day", there shall be a relief granted to the tax payer from said tax and a refund of the appropriate amount of tax already paid which shall be prorated on a monthly

basis. No refund shall be made if the personal property acquires a situs within the Commonwealth of Virginia in a non-prorating locality.

SECTION 3. When any person sells or otherwise transfers title to personal property with a situs in the Town of Parksley after the tax day of the calendar year or after the day on which it acquires a situs in the Town of Parksley, the personal property tax shall be relieved, prorated on a monthly basis and the appropriate amount of tax already paid shall be refunded or credited, at the option of the tax payer, against the tax due on any other personal property owned by the tax payer during the same tax year by the Treasurer of the Town of Parksley. Said refund shall be made within thirty (30) days from the date such tax is relieved. No refund of less than five dollars (\$5.00) shall be issued to the tax payer unless specifically requested by the tax payer.

SECTION 4. When any person, after the tax day or situs day, acquired personal property subject to the personal property tax of the Town of Parksley which said personal property has a situs in the Town of Parksley, the tax shall be assessed on said personal property for the portion of the tax year during which the new owner owns the personal property and it has a situs within the Town of Parksley.

SECTION 5. Any person who moves from a non-prorating locality to the Town of Parksley in a single tax year shall be entitled to a property tax credit in the Town jurisdiction if (i) the person was liable for personal property taxes on a motor vehicle and has paid those taxes to a non-prorating locality and (ii) the owner replaces for any reason the original vehicle upon which taxes are due to the non-prorating locality for the same tax year. The Town shall provide a credit against the total tax due on the replacement vehicle in an

amount equal to the tax paid to the non-prorating locality for the period of time commencing with the disposition of the original vehicle and continuing through the close of the tax year in which the owner incurred tax liability to the non-prorating locality for the original vehicle.

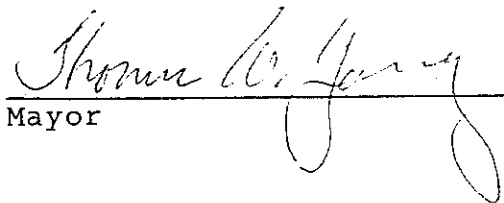
SECTION 6. The filing of returns in the payment of the personal property tax referred to herein shall be as provided for by prior Ordinance of the Town of Parksley relative to the imposition of personal property tax.

SECTION 7. Personal property shall be exempt from the Town of Parksley personal property tax for any tax year or portion thereof during which the property was legally assessed by another jurisdiction in the Commonwealth and the tax paid.

SECTION 8. The due date of the personal property tax referred to herein as well as any penalty and interest shall be as previously ordained by Ordinance of the Town of Parksley.


SECTION 9. Should any section, paragraph, sentence, clause or phrase of the Ordinance be declared unconstitutional or invalid for any reason, the remainder of such Ordinance shall not be affected thereby.

SECTION 10. This Ordinance shall become effective on Dec, 14, 1998.



Mayor

ATTEST:



Clerk

