

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY OF TALTY, TEXAS LEVYING AD VALOREM TAXES FOR TAX YEAR 2023 AT \$0.210625 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING TAXES FOR MAINTENANCE AND OPERATIONS; PROVIDING FOR DECREASING THE OVERALL TAX RATE; MAINTAINING THE \$0.129694 TAX RATE FOR MAINTENANCE AND OPERATIONS; PROVIDING DUE AND DELINQUENT DATES, PENALTIES AND INTEREST; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following public notice duly posted and published in all things as required by law, Texas Tax Code §26.052(c), regarding the meeting to be held for the adoption of the proposed tax rate for the City of Talty for Tax Year 2023, submitted by the Mayor in accordance with state law; and,

WHEREAS, the City Council, upon full consideration of the matter, is of the opinion that the tax rate hereinafter set forth is proper and should be approved and adopted. Now, Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALTY, TEXAS:

SECTION 1. That there be and is hereby levied for the year 2023 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Talty, Texas and not exempt by the Constitution of the State and valid State laws, a tax of \$0.210625 on each one hundred dollars (\$100.00) assessed value of taxable property, which shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenses of the municipal government of the City, and for maintenance and operations of the municipal government of the City, a tax of \$0.129694 on each One Hundred Dollars (\$100.00) assessed value of all taxable property.
- (b) For the purpose of creating a sinking fund to pay the interest and principal on all outstanding bonds or indebtedness of the City, not otherwise provided for, a tax of \$0.080931 on each One Hundred Dollars (\$100.00) assessed value of all taxable property within the City which shall be applied to the payment of such interest and maturates of all outstanding bonds and indebtedness.

THIS DECREASED TAX RATE WILL RAISE MORE TAXES THAN LAST YEAR. THE TAX RATE WILL RAISE TAXES ON THE AVERAGE HOMESTEAD BY \$109.59. THE OVERALL RATE REDUCES FROM 2022 BY \$0.000001.

SECTION 2.All ad valorem taxes shall become due and payable on October 1, 2023, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2024. There shall be no discount for payment of taxes prior to February 1, 2023. A delinquent tax shall incur all penalty and interest authorized by law, to wit:

- (a) A penalty of six percent on the amount of the tax for the first calendar month it is delinquent, plus one percent for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.
- (b) Provided, however, a tax delinquent on July 1, 2024, incurs a total penalty of twelve percent of the amount of delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at the rate of one percent for each month or portion of a month the tax remains unpaid. Taxes for the year 2023 and taxes for all future years that become delinquent on or after February 1 but not later than May 1, that remain delinquent on July 1 of the year in which they become delinquent, incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and 33.07, as amended. Taxes assessed against tangible personal property for the year 2016 and for all future years that become delinquent on or after February 1 of a year incur an additional penalty on the later of the date the personal property taxes become subject to the delinquent tax attorney's contract, or 60 days after the date the taxes become delinquent, such penalty to be in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 33.11. Taxes for the year 2017 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.07(f), 26.15(e), 31.03, 31.031, 31.032 or 31.04 incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and Section 33.08, as amended.

SECTION 3. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

SECTION 4. The tax roll as presented to the City Council, together with any supplements thereto; be, and the same are hereby approved.

SECTION 5. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance which shall remain in full force and effect.

SECTION 6. All ordinances of the City of Talty, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. This ordinance shall take effect immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Talty, Texas, on this the 19th day of September, 2023.

APPROVED:

MAYOR: FRANK GARRISON

ATTEST:

CITY SECRETARY: SHERRY BAGBY