

TOWN OF FAIRVIEW, TEXAS

ORDINANCE NO. 2016-24

AN ORDINANCE OF THE TOWN OF FAIRVIEW, TEXAS FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 AND FOR EACH FISCAL YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT A RATE OF \$0.359999 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN AS OF JANUARY 1, 2016; DIRECTING THE ASSESSMENT THEREOF TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT OPERATION AND MAINTENANCE EXPENSES AND INDEBTEDNESS OF THE TOWN; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; AND DECLARING AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Fairview, Texas (the "Town") hereby finds that the tax for the fiscal year beginning October 1, 2016 and ending September 30, 2017, hereinafter levied for current expenses of the Town and the general improvements of the Town and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and

WHEREAS, the Town Council has approved on the 6th day of September, 2016, the budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017; and,

WHEREAS, all statutory and constitutional requirements concerning the levying and assessing of ad valorem taxes have been completed in due and correct time, including providing notice of and conducting public hearings regarding the ad valorem tax levied hereby.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS:

Section 1. There be and is hereby levied and ordered to be assessed and collected for the fiscal year beginning October 1, 2016 and ending September 30, 2017, and for each fiscal year thereafter until otherwise provided, on all taxable property, real, personal and mixed, situated within the corporate limits of the Town of Fairview, Texas on January 1, 2016, and not exempted by the Constitution of the State, valid State Laws or this ordinance, a tax of \$0.359999 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 maintenance and operation expenses of the Town, a tax of \$ 0.227856 on each One Hundred Dollars (\$100.00) assessed values of all taxable property.
- b. For the purpose of the payment of principal and interest on the debt of the Town, a tax of \$0.132143 on each One Hundred Dollars (\$100.00) assessed value of all taxable property

Section 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S RATE.

Section 3. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.00 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.00.

Section 4. Pursuant to the Texas Property Tax Code, an adult who is disabled or is 65 years or older is entitled to an exemption from taxation by the Town of Fairview of \$60,000.00 of the appraised value of his residential homestead. "Disabled" means that an adult suffers a disability for purposes of payment of disability insurance under the Federal Old Age Survivors or Disability Insurance Act.

Section 5. All ad valorem taxes shall become due and payable on October 1, 2016 and all ad valorem taxes shall become delinquent after January 31, 2017. There shall be no discount for payment of taxes on or prior to January 31, 2017. A delinquent tax shall incur all penalty and interest authorized by law, Section 33.01 of the Texas Property Tax Code, as amended, to wit: a penalty of 6% of the amount of the tax for the first calendar month the tax is delinquent plus 1% 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, or such other penalty as may be allowed by law.

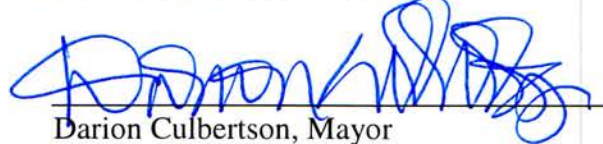
Provided, however, a tax delinquent on July 1, 2017 incurs a total penalty of 12% of the amount of the delinquent tax without regard to the number of months the tax had been delinquent. A delinquent tax shall also accrue interest at a rate of 1% for each month or portion of a month the tax remains unpaid. Taxes that remain delinquent on July 1, 2017 incur an additional penalty of 15% of the amount of taxes, penalty and interest due; such additional penalty is to defray the costs of collection due pursuant to the contract with the Town's attorney authorized by Section 6.30 of the Texas Property Tax Code, as amended.

Section 6. Taxes shall be payable in full at the office of the Tax Assessor/Collector, Kenneth Maun, 2300 Bloomdale Road, Suite 2366, McKinney, Texas 75071. The Town shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

Section 7. All delinquent taxes shall bear interest as provided by State law, in addition to the penalties.

Section 8. This Ordinance shall become effective from and after its passage.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, ON THIS THE 6th DAY OF SEPTEMBER, 2016.



Darion Culbertson, Mayor
Town of Fairview, Texas

ATTEST:



Elizabeth Cappon, Town Secretary
Town of Fairview, Texas



APPROVED AS TO FORM:



Clark McCoy, Town Attorney