

ORDINANCE NO. 23-1168

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF DOUGLAS, SUBJECT TO TAXATION, A CERTAIN RATE UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES: ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE 2024, ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, A.R.S. Section 42-17151 (A) requires that the Ordinance levying taxes for fiscal year 2023-24 must be finally adopted no later than the third Monday in August of this year; and

WHEREAS, County of Cochise is the assessing and collecting authority for the City of Douglas.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Douglas, Arizona, as follows:

Section 1. There is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the City of Douglas, except such property as may be by law exempt from taxation, a primary property tax rate of 1.1147 per \$100 of assessed valuation for the fiscal year ending on the 30th day of June 2024. If such rate generates a levy that exceeds the maximum levy allowed by law, the Board of Supervisors of Cochise County is hereby authorized to reduce the levy to the maximum amount after providing notice to the City of Douglas.

Section 2. Failure by the officials of Cochise County to properly return the delinquent list, or any irregularity in any proceeding shall not invalidate such proceedings or invalidate any title conveyed by any tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to them shall not invalidate any proceeding or any deed of sale pursuant thereto; the validity by which the collection of the same may be enforced shall not affect the lien of the City of Douglas upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of cost shall not invalidate any proceeding for the collection of taxes or the foreclosure of the lien therefore or a sale of property under such foreclosure; and acts of officers de facto shall be valid as if performed de jure.

Section 3. The City Clerk is hereby directed to transmit a certified copy of this Ordinance to the County Assessor and the Board of Supervisors of Cochise County, Arizona.

Section 4. All Ordinance and parts of ordinance in conflict herewith are hereby repealed.

Section 5. Effective date: This Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

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Section 6. Severability: If any chapter, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 14th day of June 2023.

Attest:

Donald C. Huish, Mayor

Approved as to Form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by:
Alejandro Martinez, Finance Director