

**ORDINANCE NO. 813-2021**

**AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF HILSHIRE VILLAGE, TEXAS, FOR THE YEAR 2021; PROVIDING FOR TWO COMPONENTS TO THE PROPOSED TAX RATE, CONSISTING OF A TAX RATE OF \$0.134835 ON EACH ONE HUNDRED DOLLARS OF VALUATION FOR THE PURPOSE OF PAYING THE ACCRUING INTEREST AND TO PROVIDE A SINKING FUND FOR PAYMENT OF THE INDEBTEDNESS OF THE CITY AND A TAX RATE OF \$0.455049 ON EACH ONE HUNDRED DOLLARS OF VALUATION FOR THE PURPOSE OF FUNDING THE MAINTENANCE AND OPERATION EXPENDITURES, EACH APPROVED BY SEPARATE MOTION; PROVIDING FOR THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, Section 26.05 of the Texas Property Tax Code provides that before the later of September 30<sup>th</sup>, or the 60<sup>th</sup> day after the date the certified appraisal roll is received by the taxing unit, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

**WHEREAS**, such Section further provides that where the tax rate consists of two components (one which will impose the amount of taxes needed to pay the unit's debt service and the other which will impose the amount of taxes needed to fund maintenance and operation expenditures of the unit for the next year), each of the components must be approved separately; and

**WHEREAS**, the proposed tax rate for the current tax year of the City of Hilshire Village, Texas, consists of two components, each or which are separately approved by council:

a) a tax rate of \$0.134835 on each one hundred dollars of valuation for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City, and

b) a tax rate of \$0.455049 Cents on each one hundred dollars of valuation for the purpose of funding the maintenance and operation expenditures of the City for the next fiscal year; and

**WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.50 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$5.73; and**

c) a total tax rate of \$0.589884 Cents on each one hundred dollars of valuation for the purpose of funding fiscal year ending 2022 municipal budget; and

**WHEREAS, THE TOTAL PROPERTY TAX RATE OF \$.0589884, IS EFFECTIVELY A 2.35 PERCENT INCREASE IN THE TAX RATE; and**

**WHEREAS,** all notices and hearings required by law as a prerequisite to the passage, approval, and adoption of this Ordinance have been timely and properly given and held; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILSHIRE VILLAGE:**

**Section 1.** The facts and recitations set forth in the preamble of this Ordinance are found to be true and correct and are hereby adopted, ratified and confirmed.

**Section 2.** There is hereby levied, for the tax year 2021, to fund the City's fiscal year ending 2022 municipal budget, an ad valorem tax at the total rate of

\$0.589884 Cents on each One Hundred Dollars (\$100) of assessed valuation on all property, real, personal and mixed, within the corporate limits of the City, upon which an ad valorem tax is authorized by law to be levied by the City of Hilshire Village, Texas. All such taxes shall be assessed and collected in current money of the United States of America.

**Section 3.** Of such total tax levied in Section 2 hereof, \$0.455049/100 is levied to fund maintenance and operation expenditures of the City for the fiscal year ending 2022. Of the total tax levied in Section 2 hereof, \$0.134835/100 of valuation is levied for the purpose of paying the interest on bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City of Hilshire Village, Texas, including the various installments of principal due on the serial bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City as such installments shall respectively mature in the fiscal year ending 2022.

**Section 4.** All ad valorem taxes levied hereby, in the total amount of \$0.589884 on each One Hundred Dollars (\$100.00) of assessed valuation, as reflected by Sections 2 and 3 hereof, shall be due and payable on or before January 31, 2022. All ad valorem taxes due the City of Hilshire Village, Texas, and not paid on or before January 31<sup>st</sup> following the year for which they were levied, shall bear the maximum penalty and interest prescribed in the Texas Tax Code. Provided, however, that 1) a person who pays one-half (1/2) of the taxes before December 1, 2021 may pay the remaining taxes without incurring any penalty or interest before July 1, 2022; or 2) a person may pay in four equal installments without penalty or interest if the first installment is paid before the delinquency date (February 1) and is accompanied by

notice that the person will pay the remaining taxes in three equal installments before April 1, June 1 and August 1, respectively.

**Section 5.** All ordinances and parts of ordinances inconsistent or in conflict herewith are, to the extent of such conflict, hereby repealed; provided, however, nothing in this Ordinance shall be construed to alter the residential homestead exemption, over 65 residential homestead exemption, or disabled individual property owner's exemption provided by the City, if any.

**Section 6.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional and the City Council of the City of Hilshire Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on this 22<sup>nd</sup> day of September, 2021 by a roll call vote.

- Pos. 1,       Mike Gordy
- Pos. 2,       Robert Byrne
- Pos. 3,       Andy Carey
- Pos. 4,       Paul Maddock
- Pos. 5,       David Schwarz

CITY OF HILSHIRE VILLAGE

Attest:

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Russell Herron, Mayor

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Susan Blevins, City Administrator/Secretary