

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCCLEARY RELATING TO THE ESTABLISHMENT OF THE REGULAR AD VALOREM TAX LEVY FOR THE YEAR 2022 FOR COLLECTION IN THE YEAR 2022; MAKING FINDINGS; AND RESERVING RIGHTS.

RECITALS:

WHEREAS, the City Council of the City of McCleary has met and is considering its budget for the calendar year 2022; and

WHEREAS, at a public hearing held on October 27, 2021, the City Council provided the opportunity to receive comment from the Citizens of the City on the elements of revenue projections and the ad valorem tax levy. Following that hearing, the Mayor and Council are going forward with the consideration of the City 's budget.

WHEREAS, based upon the information provided by the Office of the County Assessor, the City's actual annual ad valorem levy amount for 2021 was \$392,728. Further, that a 1% increase would equal \$3,927.

WHEREAS, this increase is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, and annexations that have occurred and refunds made.

WHEREAS, the City has a population of less than 10,000 citizens.

WHEREAS, the City Council of the City of McCleary, following the required public hearing and after duly considering all relevant evidence and testimony presented, has determined the City of McCleary will exercise its authority to increase the regular tax levy by the authorized one percent.

WHEREAS, the action carried forth by the Ordinance is based upon a Council finding there is a significant necessity for the property tax revenue to be increased in the next calendar year in order to meet the expenses and obligations of the City.

WHEREAS, in adopting this ordinance, the City is relying upon the accuracy and completeness of the information provided to it by the Office of the County Assessor.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: The regular property tax levy is hereby authorized for 2022 for collection in 2022 in an amount of \$_____, a figure which the Office of the County Assessor has indicated represents the increase allowed by RCW 84.55.0101 from the amount levied and collected the previous year: PROVIDED THAT, it is to be recognized as follows: [a] the intent of this ordinance is to exercise the authority to increase

the levy here in question by the 1 percent allowed under the provisions of RCW 84.55 and to include additional revenue resulting from assessment of any new construction, improvements to property, any increase in the value of state assessed property or utilities, any annexations which have occurred, or any refunds made and [b] if the amount finally determined allowed under those provisions is greater than the specific figure set out, that newly determined figure shall be the amount utilized.

SECTION II: This ordinance is based upon the information from the Office of the County Assessor as to amounts and calculations, as well as advice from County officials that this ordinance can be amended to modify the tax rate established herein by adoption of an appropriate amendatory ordinance. The City specifically reserves the right to take such amendatory action up to and including the last day allowed. Upon execution by the Mayor, a certified copy of this Ordinance shall be provided to the appropriate officials of the County so as to provide for appropriate assessment.

SECTION IV: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections; subsections, sentences, clauses, or phrase had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION V: This ordinance shall take effect upon the fifth day following the date of publication.

PASSED THIS ____ DAY OF _____, 2021, by the City Council of the City of McCleary, and signed in approval therewith this ____, day of _____, 2021.

CITY OF McCLEARY:

BRENDA ORFFER, Mayor

ATTEST:

DANI SMITH, Clerk-Treasurer

APPROVED AS TO FORM:

CHRISTOPHER JOHN COKER, City Attorney

