

ORDINANCE NO. _____

An Ordinance Providing for the Division of Taxes Levied on Certain Taxable Property added to the Industrial Park Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Council of the City of Oelwein, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on certain taxable property that has been added to the Industrial Park Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts, after the effective date of this ordinance, in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Oelwein to finance projects in the Industrial Park Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Oelwein, Iowa.

“County” shall mean Fayette County, Iowa.

“2020-1 Property” shall mean certain taxable property that was added to the Industrial Park Urban Renewal Area by resolution of the City Council adopted on October 12, 2020, with the following Fayette County Real Property Tax Identification Parcel Numbers:

18-28-451-010 and 18-28-451-003

Section 3. Provisions for Division of Taxes Levied on 2020-1 Property. After the effective date of this ordinance, the taxes levied on the 2020-1 Property each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the 2020-1 Property is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the 2020-1 Property, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the 2020-1 Property on the effective date of this ordinance, but to which the 2020-1 Property has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of

January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the 2020-1 Property to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Industrial Park Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized by Section 403.19(2) of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa, to the extent authorized by Section 403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the 2020-1 Property exceeds the total assessed value of the 2020-1 Property as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the 2020-1 Property shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the 2020-1 Property shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Industrial Park Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication, as provided by law.

Section 7. Filing with County Auditor. A copy of this Ordinance shall be filed in the office of the County Auditor of Fayette County, Iowa.

Passed by the Council of the City of Oelwein, Iowa, on October 12, 2020.

Mayor

Attest:

City Clerk

Approved on October 12, 2020.

Mayor

Attest:

City Clerk