

ORDINANCE NO. 785

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF PAYSON SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTION FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS; AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENDITURES, ALL FOR THE FISCAL YEAR ENDING JUNE 30, 2011, AND PROVIDING FOR IMMEDIATE OPERATION AND EFFECT OF THIS ORDINANCE (TAX LEVY).

WHEREAS, pursuant to A.R.S. § 42-17151, the ordinance levying taxes for the fiscal year 2010/2011 is required to be finally adopted no later than the third Monday in August of 2010; and

WHEREAS, Gila County is the assessing and collecting authority for the Town of Payson, and a certified copy of this Ordinance Number 785 will be transmitted to the Gila County Assessor and the Gila County Board of Supervisors,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. There is hereby levied on each One Hundred Dollars (\$100.00) of the assessed valuation of all property, both real and personal, within the corporate limits of the Town of Payson, except such property as may by law be exempt from taxation, a primary tax rate of \$0.2560 for the Fiscal Year ending June 30, 2011.

Section 2. In addition to the rate set in Section 1 hereof, there is hereby levied on each One Hundred Dollars (\$100.00) of the assessed valuation of all property, both real and personal, within the corporate limits of the Town of Payson, except such property as may by law be exempt from taxation, a secondary property tax rate sufficient to raise the sum of One Hundred Forty-Five Thousand Dollars (\$145,000.00), and not more than the actual general bond debt service due during the year for the purpose of providing a bond and redemption fund for the Town of Payson for the Fiscal Year ending June 30, 2011.

Section 3. Failure of Gila County officials to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings, 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 him/her or them shall not invalidate any

Prepared by Town of Payson Legal Department

TMW:drs June 22, 2010 (9:01am)

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Page 1

First Reading - Public Hearing JUL 01 2010 SP.1

proceedings or any deed or sale pursuant thereto, the validity of any assessment or levy of taxes or of the judgment of sale by which the collections of the same may be enforced, shall not affect the lien of the Town of Payson upon such property for the delinquent taxes unpaid thereon, and no overcharge as to part of the taxes or of costs shall invalidate any proceedings for the collection of taxes or the foreclosure; and all acts of officers *de facto* shall be valid as if performed by officers *de jure*.

Section 4. If the sum or rate set forth in Section 1 or the sum set forth in Section 2 exceeds the maximum levy allowed by law, the Gila County Board of Supervisors is hereby authorized to reduce the levy to the maximum amount allowed by law after notice to the Town of Payson.

Section 5. The Town Clerk is hereby directed to transmit a certified copy of this Ordinance Number 785 to the Gila County Assessor and the Gila County Board of Supervisors.

Section 6. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 785 are hereby repealed to the extent of such conflict.

Section 7. Whereas the establishment of a levy upon assessed valuation is administrative in nature, this Ordinance Number 785 shall be in full force and effect from and after its passage and adoption by the Mayor and Common Council of the Town of Payson; this Ordinance Number 785 shall be and is hereby made exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 1st day of July, 2010, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Timothy M. Wright, Town Attorney