

**ORDINANCE NO. 293 - 21**

**AN ORDINANCE OF THE CITY OF HACKBERRY, DENTON COUNTY TEXAS LEVYING AD VALOREM TAXES FOR THE YEAR 2021 AT A RATE OF \$0.243560 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2021; TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON THE OUTSTANDING DEBT OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR THE INCORPORATION OF PREMISES; REPEALING CONFLICTING ORDINANCES; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Hackberry, Texas is a Type-A General Law city acting pursuant to the authority provided to it under state law and the Texas Constitution; and

**WHEREAS**, Section 302.001 of the Texas Tax Code permits a Type-A General Law city to levy, assess, and collect taxes within the jurisdiction of the City for current expenses; and

**WHEREAS**, the City Council of the City of Hackberry wishes, via a record vote, to adopt the proposed tax rate of \$0.243560 for 2021, the City's 2021 voter approval rate, and because the City qualifies as a low tax levy entity pursuant to Section 26.052 of the Texas Tax Code, the City was exempted from holding a public hearing on the proposed tax rate and instead provided public notice of the proposed rate pursuant to Section 26.052 of the Tax Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE CITY OF HACKBERRY, DENTON COUNTY, TEXAS:**

**SECTION 1. INCORPORATION OF PREMISES.**

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. TAX RATE ADOPTED.**

That there be and is hereby levied for the year 2021, on all taxable property real personal and mixed, situated within the limits of the City of Hackberry, Texas, and not exempt by the Constitution of the State, valid State law or this Ordinance, a tax of \$0.243560 on each One Hundred Dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows:

- a) For the purpose of defraying the current expenses of municipal government of the City, a tax of \$0.209381 on each One Hundred Dollars (\$100.00) assessed value of all taxable property.

- b) For the purpose of creating a sinking fund to pay interest and principal on the outstanding bond of the City, not otherwise provided for, a tax of 0.034179 on each One Hundred Dollars (\$100.00) assessed value of all taxable property, within the City, which shall be applied to the payment of such interest and maturities of the outstanding bond.

**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 2.21 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.00.**

**SECTION 3. DUE AND DELINQUENT DATES.**

That all ad valorem taxes shall become due and payable on October 1, 2021 and all ad valorem taxes for the year shall become delinquent after January 31, 2022. There shall be no discount for payment of taxes prior to said January 31, 2022. If any person fails to pay the ad valorem taxes on or before the 31<sup>st</sup> day of January 2022, the following penalties shall be payable thereon, to-wit:

During the month of February, seven Percent (7%); during the month of March, nine percent (9%); during the month of April, eleven percent (11%), during the month of May, thirteen percent (13%); during the month of June, fifteen percent (15%); and on or after the 1<sup>st</sup> day of July, eighteen percent (18%).

Taxes shall be payable in Denton County, Texas at the office of the Denton County Tax Collector. The City shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

**SECTION 4. CUMULATIVE REPEALING CLAUSE.**

That any and all ordinances, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of the conflict herewith.

**SECTION 5. SEVERABILITY CLAUSE.**

If any section, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof by any person or circumstances, is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions and shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.**

The fact that it is necessary that this Ordinance be enacted in order to authorize the collection of ad valorem taxes for the fiscal year beginning October 1, 2021 and ending September 30, 2022, this Ordinance shall become effective from and after its adoption and publication as required by law.

ADOPTED by the City Council of the City of Hackberry, Texas, on this the 14 day of September, 2021

Council Member:	For:	Against:
Ronald Austin, Mayor	<u>✓</u>	_____
Bryant Green, Mayor Pro Tem	<u>✓</u>	_____
Beverly Hickerson	<u>NA</u>	_____
Debra Waring	<u>✓</u>	_____
Geri Shultz	<u>✓</u>	_____
Jeff Dalton	<u>✓</u>	_____



APPROVED:

*Ronald W. Austin*  
Ronald Austin, Mayor

Attest:

*Brenda Lewallen*  
Brenda Lewallen, City Secretary