

**TOWN OF BARTONVILLE
ORDINANCE 525-11**

**ACCEPTING THE 2011 AD VALOREM TAX ROLL AND
APPROVING THE 2011 AD VALOREM TAX RATE AND LEVY**

AN ORDINANCE ACCEPTING THE 2011 CERTIFIED TAX ROLL FOR THE TOWN OF BARTONVILLE; APPROVING THE 2011 AD VALOREM PROPERTY TAX RATE AND LEVY OF \$0.19294 PER \$100.00 VALUATION; PROVIDING FOR A DUE DATE AND DELINQUENCY DATE FOR THE PAYMENT OF PROPERTY TAXES; PROVIDING FOR THE COLLECTION AND USE OF PENALTY AND INTEREST ON DELINQUENT TAXES; DIRECTING THE TAX ASSESSOR-COLLECTOR TO ASSESS AND COLLECT AD VALOREM PROPERTY TAXES IN ACCORDANCE WITH THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council of the Town of Bartonville has received and reviewed the 2011 certified property tax roll submitted by the Denton Central Appraisal District; and

WHEREAS, the effective tax rate and the rollback tax rate have been duly calculated and the Small Taxing Unit Notice has been published in the Town's official newspaper as prescribed by Chapter 26, Section 26.052, of the Tax Code and in accordance with the rules and regulations of the Texas State Property Tax Board; and

WHEREAS, a budget appropriating revenues generated by fees and the collection of Ad Valorem Taxes for the use and support of the municipal government of the Town of Bartonville, Texas, has been approved and adopted by the Bartonville Town Council as required by Title 4, Section 102.009 of the Texas Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, THAT:

**SECTION 1.
ACCEPTANCE OF CERTIFIED TAX ROLL**

The certified tax roll prepared and submitted by Joe Rogers, Chief Appraiser for the Denton Central Appraisal District, reflecting a total taxable value of \$246,922,023 is hereby accepted by the Bartonville Town Council.

SECTION 2.
APPROVING THE 2011 TAX RATE AND LEVY

There is hereby levied and there shall be collected for the use and support of the municipal government of the Town of Bartonville, Texas, upon all property, real, personal, or mixed, within the corporate Town limits of the Town of Bartonville which is subject to taxation, a total ad valorem tax rate of \$0.19294 per \$100.00 property valuation, said tax being so levied and appropriated for the Town of Bartonville, Texas, and to be allocated as follows:

- a. \$0.10482 per \$100.00 valuation for the operation and maintenance of the Town;

and

- b. \$0.08812 per \$100.00 valuation for the 2011-2012 Fiscal Year payments in the retirement of debt incurred by the issuance of:
 - 1. \$1,100,000 General Obligation Refunding Bonds Series 2004; and
 - 2. \$500,000 Tax Notes, Series 2009.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. HOWEVER, THIS TAX RATE DOES NOT EXCEED THE EFFECTIVE MAINTENANCE AND OPERATIONS RATE.

SECTION 3.
DUE DATE AND DELINQUENCY DATE

Ad valorem taxes levied under this ordinance shall be due October 1, 2011, and if not paid on or before January 31, 2012, shall immediately become delinquent.

SECTION 4.
DIRECTION TO THE TAX ASSESSOR/COLLECTOR

The Town of Bartonville has entered into an Interlocal Cooperative Agreement with Denton County which designates Denton County as the Tax Assessor-Collector for the Town of Bartonville and is hereby directed to assess and collect the 2011 ad valorem taxes at the rates and amounts herein levied, and when such taxes are collected, to distribute said collection in accordance with this ordinance and the provisions stated in the Interlocal Cooperative Agreement.

SECTION 5.
PENALTY AND INTEREST

All Taxes shall become a lien upon the property against which assessed and the Town Tax Assessor-Collector for the Town of Bartonville, Texas shall, by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said

taxes, penalty and interest, and the penalty and interest collected from such delinquent taxes shall be appropriated for the General Fund of the Town of Bartonville, Texas. All delinquent Ad Valorem Taxes and related penalties and interest for the tax years prior to 2011 which are collected during the Fiscal Year 2011-2012 shall also be allocated to the General Fund for Maintenance and Operation of the Town of Bartonville, Texas.

SECTION 6.
CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of Ordinances of the Town of Bartonville, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

SECTION 7.
SEVERABILITY CLAUSE

It is hereby declared to be the intention of the Town Council of The Town of Bartonville that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8.
SAVINGS CLAUSE

All rights and remedies of the Town of Bartonville are expressly saved as to any and all violations of the provisions of any ordinances affecting ad valorem taxation, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.
ENGRASSMENT AND ENROLLMENT

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date Clause in the official minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

SECTION 10.
PUBLICATION

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date Clause of this Ordinance for two (2) days as required by Section 52.011 of the Local Government Code.

SECTION 11.
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

AND IT IS SO ORDAINED:

PASSED AND APPROVED by a vote of ___ to ___ this the 20th Day of September 2011.

APPROVED:

Ron Robertson, Mayor

(Seal)

ATTEST:

Debbie E. Millican, Town Administrator