

ORDINANCE NO. 017-004

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AMENDING THE TAX CODE AS CONTAINED IN TITLE 3 OF THE CITY OF SAFFORD MUNICIPAL CODE BY AMENDING THE NOVEMBER 1, 2025 TERMINATION OF THE PRIVILEGE AND USE TAX RATE INCREASE OF ONE-HALF OF ONE PERCENT (0.5%) TO TERMINATE IN FISCAL YEAR 2030.

WHEREAS, The City of Safford Council adopted Ordinance No. 05-0002 on August 22, 2005 amending the City Tax Code by increasing the tax rate on certain privilege and use taxes for Street Improvements and Maintenance, setting an effective date of November 1, 2005 and terminating on November 1, 2025; and

WHEREAS, the City of Safford Council desires to amend the tax code as contained in Title 3 of the City of Safford Municipal Code by repealing the November 1, 2025 termination date of the 0.5% temporary transaction privilege tax and removing the separate fund; and

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Safford as follows:

Section 1. That Ordinance No. 05-002, is hereby amended as follows:

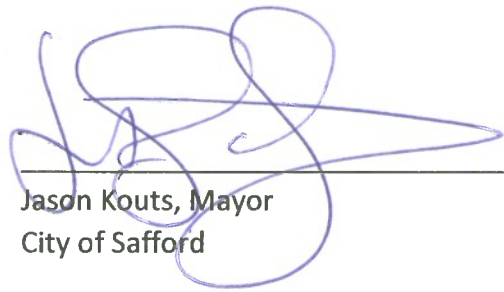
Amend Section 4 with the following modification:

The one-half (.5%) percent increase effectuated by this Ordinance shall expire the first day of the month immediately following a sixty (60) day period after which an official determination has been made by the City Council that the debt incurred in fiscal year 2005/2006 for projects as outlined above has been fully paid and retired. In any event the increase effectuated herein shall expire no later than fiscal year 2030.

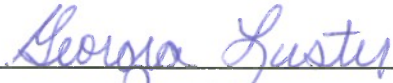
Section 2.

All ordinances, resolutions or motions or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

PASSED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Safford this 11th day of December 2017 to be effective upon the expiration of a thirty (30) day period following adoption and publication and posting, pursuant to A.R.S. §9-812.


Jason Kouts, Mayor
City of Safford

ATTEST:


Georgia Luster, MMC
City Clerk

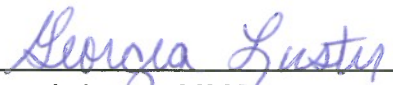
APPROVED AS TO FORM:



William Sims, City Attorney
City Attorney

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

I HEREBY CERTIFY, that the foregoing Ordinance Number O17-004 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a regular council meeting held December 11, 2017 with an effective date of January 11, 2018. A quorum of the Council was present at the meeting.


Georgia Luster, MMC
City Clerk


Date:

ORDINANCE NO. 05-002

AN ORDINANCE OF THE CITY OF SAFFORD AMENDING THE CITY TAX CODE BY INCREASEING THE TAX RATE ON CERTAIN PRIVILEGE AND USE TAXES FOR STREET IMPROVEMENTS AND MAINTENANCE.

WHEREAS, The City of Safford is in urgent need of street renovation for the benefit of its citizenry; and

WHEREAS, Renovations have been deferred due to budget constraints; and

WHEREAS, The City Council desires to establish sufficient revenue for the repair, renovation and maintenance of the streets of the City including sidewalks, medians, other related appurtenances and their ongoing maintenance;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Safford, that the Tax Code of the City of Safford as contained in Title 3 of the *City of Safford Municipal Code* is amended as stated below.

1. The two percent (2%) tax rate in each of the following sections of the tax code is increased from two percent (2%) to two and one-half percent (2.5 %):

Section 15-405.	Advertising.
Section 15-410.	Amusements, exhibitions, and similar activities.
Section 15-415.	Construction contracting: construction contractors.
Section 15-416.	Construction contracting: speculative builders.
Section 15-417.	Construction contracting: owner-builders who are not speculative builders.
Section 15-420.	Feed at wholesale.
Section 15-425.	Job printing.
Section 15-427.	Manufactured buildings.
Section 15-430.	Timbering and other extraction.
Section 15-435.	Publishing and periodicals distribution.
Section 15-440.	Rental occupancy.
Section 15-444.	Hotels.
Section 15-445.	Rental, leasing, and licensing for use of real property.
Section 15-450.	Rental, leasing, and licensing for use of tangible personal property.
Section 15-455.	Restaurants and Bars.
Section 15-460.	Retail sales: measure of tax; burden of proof; exclusions.
Section 15-470.	Telecommunication services.
Section 15-475.	Transportation for hire.
Section 15-480.	Utility services.
Section 15-610.	Use tax: imposition of tax; presumption.


2. The tax rates established specifically under Sections 15-460(d) and 15-610(e) are not affected by the increases established by this Ordinance.

Ordinance No. 05-002

Page 2

3. A separate fund shall be established for the repair, renovation and maintenance of the streets of the City including sidewalks, medians, other related appurtenances and their ongoing maintenance and the proceeds collected from the increases effectuated herein shall be placed in this new fund and shall be budgeted annually and be incorporated therein as a component of the City's capital improvement plan.
4. The one-half (.5%) percent increase effectuated by this Ordinance shall expire the first day of the month immediately following a sixty (60) day period after which an official determination has been made by the City Council that the debt incurred in fiscal year 2005/2006 for projects as outlined above has been fully paid and retired. In any event the increase effectuated herein shall expire no later than twenty (20) years after the effective date stated herein.
5. All ordinances, resolutions or motions or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.
6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.
7. The increased tax imposed pursuant to this Ordinance shall not apply to contracts entered into prior to the effective date of this Ordinance.
8. The provisions of this Ordinance shall become effective on 1 November 2005.

PASSED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Safford this 22nd day of August, 2005.



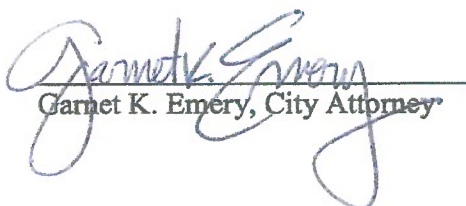
Ronald M. Green, Mayor

ATTEST:



Sharon French, City Clerk

APPROVED AS TO FORM:



Garnet K. Emery, City Attorney