

ORDINANCE NO. 239 – Setting ad valorem tax rate for 2023

AN ORDINANCE FIXING THE TAX RATE AND TAX LEVY FOR THE TOWN OF ENCHANGED OAKS, TEXAS, FOR THE TAX YEAR 2023-24 UPON ALL TAXABLE PROPERTY IN THE TOWN OF ENCHANTED OAKS, TEXAS IN CONFORMITY WITH THE LAWS OF THE STATE OF TEXAS; DIRECTING THE TOWN SECRETARY TO CAUSE A STATEMENT CONFORMING TO SECTION 26.05(b)(2) OF THE TEXAS TAX CODE TO BE PLACED ON THE HOME PAGE OF THE TOWN'S WEBSITE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENCHANTED OAKS, TEXAS:

Section 1

That there is and shall be levied and shall be assessed and collected for the Town's tax year 2023-24 an ad valorem tax of 18.6908 hundredths of a cent (\$.186908) on each one hundred dollars (\$100.00) of assessed value of property located within the Town limits and made taxable by law, which taxes, when collected, shall be appropriated among the funds and for the purposes detailed within the FY 2023-24 budget and apportioned as follows:

For the general fund - operations and maintenance \$.186908

For the purposes of paying the accrued interest on and to provide a sinking fund for general obligation bonds and certificates of obligation not payable from the operations and maintenance portion of the tax rate: \$0.000.

TOTAL: \$.186908

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 6.44 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$11.31.

Section 2

That the ad valorem tax rate established and set in Section 1 of this Ordinance is hereby levied and shall be assessed and collected on each one hundred dollars (\$100.00) of assessed value as determined, appraised, and valued by the Henderson County Appraisal District and made taxable to the Town by law.

Section 3

That the Town Secretary is hereby directed to cause to be prominently placed on the home page of the Town's website a statement conforming to Sec. 26.05(b)(2) of the Texas Tax Code substantially as follows:

"THE TOWN OF ENCHANTED OAKS, TEXAS ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 6.44 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$11.31."

Section 2

That taxes levied under this Ordinance shall be due and payable on October 1, 2023 and if not paid on or before January 31, 2024 shall immediately become delinquent. All delinquent taxes shall bear interest from date of delinquency at the rate as prescribed by state law.

Section 3

All taxes shall become a lien upon the property against which assessed, and the Henderson County Tax Office as the assessor and collector for the Town of Enchanted Oaks is hereby authorized and empowered to enforce the collection of such taxes according to the Constitution and laws of the State of Texas and Ordinances of the City, and 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 such taxes, penalties and interest, and the interest and penalty collected from such delinquent taxes shall be apportioned to the general fund of the Town.

Section 4

The 2023 appraisal roll, as presented to the Town Council, together with any supplements thereto, is hereby accepted and adopted.

Section 5

Any provision of any prior ordinance of the Town, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the Town, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 6

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

Section 7

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the 15 day of August, 2023.

TOWN OF ENCHANTED OAKS, TEXAS



Mayor

ATTEST:


Town Secretary