

**ORDINANCE NO. (O)11-14**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY, ARTICLE IV, CHAPTER 8A, SECTION 480, RELATING TO THE UTILITY SERVICES TAX RATE AND REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER.**

**WHEREAS**, Oro Valley is a political subdivision of the State of Arizona, is vested with all rights, privileges, and benefits and entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

**WHEREAS**, Arizona cities and towns have the authority to levy taxes under ARS § 9-240(B)(26); and

**WHEREAS**, on July 13, 1988, the Town of Oro Valley adopted the Model City Tax Code ("Code") pursuant to Arizona law; and

**WHEREAS**, amendments to the Code are required to be made in accordance with ARS § 42-6054; and

**WHEREAS**, it is in the best interest of the Town that the Council adjust the current rate of tax on utility services in order to diversify the Town's revenue stream and continue sustainable revenue sources that will serve to further stabilize the Town's General Fund and strengthen the Town's financial structure.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the Council of the Town of Oro Valley, Arizona that the tax code of the Town of Oro Valley, Arizona is hereby amended as follows:

**SECTION 1.** Section 8A-480 (a) of the Tax Code of the Town of Oro Valley is amended as follows, with additions being shown in **ALL CAPS** and deletions being shown in ~~Strikeout-text~~:

(a) The tax rate shall be at an amount equal to ~~two~~ **FOUR** percent (24%) of the gross income from the business activity upon every person engaging or continuing in the business of producing, providing, or furnishing utility services, including electricity, electric lights, current, power, gas (natural or artificial), or water to:

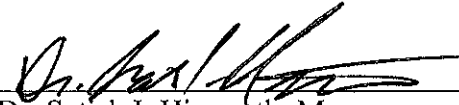
**SECTION 2.** All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions, or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3.** 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 thereof.


**SECTION 4, Effective Date.** This Ordinance shall not be effective until ninety (90) days following its passage and adoption so that the Arizona Department of Revenue will have time to process and implement the terms of this Ordinance.

**PASSED AND ADOPTED** by Mayor and Town Council, the Town of Oro Valley, Arizona, this 4th day of May, 2011.

**TOWN OF ORO VALLEY**

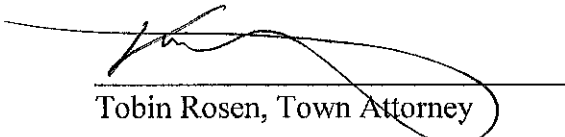
  
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Dr. Satish I. Hiremath, Mayor

**ATTEST:**

  
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Julie K. Bower, Town Clerk

Date: 5/6/11

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Tobin Rosen, Town Attorney

Date: 5/4/11

PUBLISH: DAILY TERRITORIAL  
MAY 16, 17, 18, 19, 2011

POSTED: 5/10/11 - 6/10/11