

Town of Arnaudville

Ordinance 1-22

The following was introduced on **January 18, 2022** and after proper notification to the public, a public hearing was held on, **February 15, 2022** moved for the adoption by **Jamie Huval** and said motion was seconded by **Kevin Robin** of the Town of Arnaudville, State of Louisiana:

ORDINANCE LEVYING TAX MILLAGE

A ORDINANCE PROVIDING FOR THE CONTINUATION OF THE LEVY WITHIN THE TOWN OF ARNAUDVILLE, STATE OF LOUISIANA, EFFECTIVE 2022, OF AN AD VALOREM PROPERTY TAX (THE "TAX"), MORE SPECIFICALLY A 10 YEAR/7 MILLS AD VALOREM TAX; LEVYING AND PROVIDING FOR THE ASSESSMENT, COLLECTION, PAYMENT AND DEDICATION OF THE PROCEEDS OF SUCH TAX AND THE MANNER IN WHICH THE PROCEEDS OF SUCH TAX MAY BE EXPENDED, SUCH TAX HAVING BEEN AUTHORIZED AT A SPECIAL ELECTION HELD IN THE DISTRICT ON NOVEMBER 13, 2021.

WHEREAS, under the authority conferred by Article VI, Section 32 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority, the voters approved an *ad valorem* property tax (the "Tax") on November 13, 2021, for the Town of Arnaudville, State of Louisiana (the "Town");

WHEREAS, the Tax authorized the levy and collection of a special tax of seven (7) mills on all property subject to *ad valorem* taxation within the boundaries of the Town, for a period of ten (10) years, beginning with January 1, 2022, and terminating on December 31, 2031, pursuant to the following tax proposition adopted by the voters at the election held on November 13, 2021:

**PROPOSITION
(TAX RENEWAL)**

Shall the Town of Arnaudville, State of Louisiana (the "Town"), be authorized to continue the levy of a special tax of seven (7) mills on all property subject to taxation in said Town (an estimated \$54,206 expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, for the purpose of supplementing the cost of constructing, acquiring, improving,

maintaining and operating the Town's waterworks system, sewer system and natural gas transmission and distribution system?

WHEREAS, in compliance with Article VI, Section 32 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority, it is the desire of the Board of Aldermen of the Town of Arnaudville, acting as the governing authority (the "**Governing Authority**") of the Town, to provide for the levy and collection of the Tax and to provide for distribution of the proceeds thereof and other matters in connection therewith as hereinafter provided in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Arnaudville, State of Louisiana, acting as the Governing Authority of the Town, that:

SECTION 1. Imposition. Pursuant to the authority granted by the voters in that special election held in the Town on November 13, 2021, the Tax is hereby levied upon all property subject to *ad valorem* tax within the boundaries of the Town as defined by law. The Town shall comply in the assessment, collection, administration and enforcement of the Tax, the provisions of which are hereby incorporated by reference.

SECTION 2. Rates. The Town shall continue to levy the Tax for ten (10) years at a rate of seven (7) mills on all property subject to *ad valorem* taxation in said Town, subject to Louisiana Constitution Article VII, Section Louisiana Constitution Article VII, Section 18(F), Louisiana Constitution Article VII, Section 23(B) and Louisiana Constitution Article VII, Section (23) with regard to assessment of property values and related millage rates.

SECTION 3. Effective Date. The Tax shall be effective on January 1, 2022.

SECTION 4. Termination Date. The Tax shall end on December 31, 2031.

SECTION 5. Purposes. The proceeds of the Tax shall be used for the purposes set forth in the proposition approved by the voters in the special election held in the Town of Arnaudville on November 13, 2021, which proposition is set forth in the preamble hereto.

SECTION 6. Limits on Interest, Penalty and Attorney Fees. Should the interest, penalties or attorney fees herein, or the combined interest, penalties and attorney fees be declared to be in excess of limits provided by other law, including relevant jurisprudence, then the maximum interest, penalties and attorney fees allowed by such other law shall apply.

Collector. The Tax levied by this Ordinance are authorized to be collected by a "Collector" which term shall mean the St. Landry Parish Sheriff, State of Louisiana and the St. Martin Parish Sheriff, State of Louisiana.

SECTION 7. Powers of Collector. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this Ordinance to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

SECTION 8. Revenues of Tax. All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this Ordinance relating to the Tax shall be promptly deposited by the Collector for the account of the Town in a special fund heretofore

established and maintained for the deposit of such proceeds, which fund shall be a separate bank account established and maintained with the regularly designated fiscal agent of the Town; provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

SECTION 9. Administrative Fee. In compliance with the said special election of November 13, 2021, authorizing the Tax, after all reasonable and necessary costs and expenses of collecting and administration of the Tax has been paid as provided for above, the remaining balance in such said special fund shall be available for appropriation and expenditures by the Governing Authority solely for the purposes designated in the proposition authorizing the levy of the Tax.

SECTION 10. Severability. If any or more of the provisions of this Ordinance shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Ordinance which validates or makes legal any provision of this Ordinance which would not otherwise be valid or legal, shall be deemed to apply to this Ordinance.

SECTION 11. Publication and Recordation. This Ordinance shall be published in one issue of the official journal of this Governing Authority as soon as is reasonably possible. A certified copy of this Ordinance shall be recorded in the mortgage records of the Parishes of St. Landry & St. Martin, State of Louisiana.

SECTION 12. Promulgation of Election Result. The results of said special election were promulgated by publication in the manner provided by law.

SECTION 13. Conflicting Ordinances. All ordinances or parts thereof, in conflict herewith are hereby repealed.

SECTION 14. Electronic Signatures. This Ordinance and all documents and filings related to the election call of the Governing Authority may be executed with electronic signature in accordance with La R.S. 9§2601 et seq. by the Chairman and Clerk or equivalent officer of the Town and same are deemed legal and binding to extent allowed by law.

BE IT ALSO FURTHER ORDAINED that the proper administrative officials of the Parish of St. Landry, State of Louisiana, and the Parish of St. Martin, State of Louisiana, be hereby empowered, authorized, directed to spread said Tax, as hereinabove set forth, upon the assessment rolls of said Town beginning for the year 2022, and all subsequent years until expiration of the aforementioned term, and make the collection of the Tax imposed for and on behalf of the Governing Authority of the Town, according to law, and that the Tax herein levied shall become a permanent lien and privilege on all property subject to *ad valorem* taxation within the boundaries of the Town as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

BE IT ALSO FURTHER ORDAINED this Ordinance shall be in full force and effect immediately upon its adoption and approval, or as soon as allowed by law.

This having been submitted to a vote and adopted by the Governing Authority with the votes on the recorded as follows:

Board of Alderman:	YEAS	NAYS	ABSENT	ABSTAINING
MECHE, TODD (MAYOR)	X			
HUVAL, JAMIE	X			
Kidder, Debra			X	
Robin, Kevin	X			
STELLY, Cynthia	X			
STELLY SUZANNE	X			

The Ordinance to Continue Levying Tax Millage was declared adopted on the **15th day of February, 2022.**

**BOARD OF ALDERMEN OF THE
TOWN OF ARNAUVILLE, STATE OF LOUISIANA**

TODD MECHE

TODD MECHE
MAYOR

DOLores R. QUEBEDEAUX

DOLores R. QUEBEDEAUX
CLERK

CERTIFICATE OF AUTHENTICITY

STATE OF LOUISIANA

PARISHES OF ST. LANDRY & ST. MARTIN

I, the undersigned Clerk of the Board of Aldermen, the governing authority (the "**Governing Authority**"), of the Town of Arnaudville, State of Louisiana (the "**Town**"), do hereby certify that the foregoing four (4) pages constitute a true and correct copy of the proceedings taken by the Governing Authority on **F**, to-wit:

A ORDINANCE PROVIDING FOR THE CONTINUATION OF THE LEVY WITHIN THE TOWN OF ARNAUDVILLE, STATE OF LOUISIANA, EFFECTIVE 2022, OF AN AD VALOREM PROPERTY TAX (THE "TAX"), MORE SPECIFICALLY A 10 YEAR/7 MILLS AD VALOREM TAX; LEVYING AND PROVIDING FOR THE ASSESSMENT, COLLECTION, PAYMENT AND DEDICATION OF THE PROCEEDS OF SUCH TAX AND THE MANNER IN WHICH THE PROCEEDS OF SUCH TAX MAY BE EXPENDED, SUCH TAX HAVING BEEN AUTHORIZED AT A SPECIAL ELECTION HELD IN THE DISTRICT ON NOVEMBER 13, 2021.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Town of Arnaudville, State of Louisiana, on this **15th day of February, 2022**.

**BOARD OF ALDERMEN OF THE
TOWN OF ARNAUDVILLE, STATE OF LOUISIANA**

DOLORES R. QUEBEDEAUX

**DOLORES R. QUEBEDEAUX
CLERK**

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