

Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943 FAX (928) 634-0715

Celebrating Our 110th Anniversary
1899 – 2009

ORDINANCE NO. 370

AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, REPEALING PORTIONS OF ORDINANCE 362, "AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, AMENDING SECTIONS I. AND V. OF ORDINANCE 361, ADOPTED OCTOBER 13, 2009, REGARDING TAX RATE INCREASES AND THE EFFECTIVE DATE THEREOF," ADOPTED NOVEMBER 10, 2009.

WHEREAS, on October 13, 2009, the Jerome Town Council adopted Ordinance 361, amending the Tax Code of the Town of Jerome to increase the general rate of taxation to three and one-half percent (3.5%); and

WHEREAS, on November 10, 2009, upon the advice of the Arizona Department of Commerce, the Town Council adopted Ordinance 362, amending Ordinance 361 to (1) include tax rate increases for Sections 8A-415, "Construction contracting: construction contractors"; 8A-416, "Construction contracting: speculative builders,"; and 8A-417, "Construction contracting: owner-builders who are not speculative builders"; and

WHEREAS, Ordinance 362 also amended Ordinance 361 to establish an effective date of January 1, 2010 for the tax increases and to correct a typographical error; and

WHEREAS, the Town subsequently learned that Section 42(A) of House Bill 2008 established a moratorium on increases in sales tax for construction contracting, reading as follows:

A. Notwithstanding any other law, beginning June 30, 2009 through June 30, 2011, a city or town shall not impose an increased tax rate that is levied on construction contracting by submitting the issue to the qualified electors of the city or town at an election or by action of the city or town council.

; and

WHEREAS, it is necessary at this time to repeal that portion of Ordinance 362 which established sales tax rate increases for Sections 8A-415, 8A-416 and 8A-417, as detailed above;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Jerome, Arizona as follows:

Section 1. That portion of Section 1 of Ordinance 362 which established sales tax rate increases for Sections 8A-415, "Construction contracting: construction contractors"; 8A-416, "Construction contracting:

FIRST READING BY TITLE: 2/9/10				ADOPTION: Date 3.9.10			
AYES	NAYS	ABSENT	ABSTAIN	AYES	NAYS	ABSENT	ABSTAIN
5	0	0	0	5			

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Jerome Town Hall Located at 600 Clark Street, Jerome Civic Center

speculative builders,”; and 8A-417, “Construction contracting: owner-builders who are not speculative builders” is hereby REPEALED. The sales tax rate for these categories shall remain at three percent (3%).

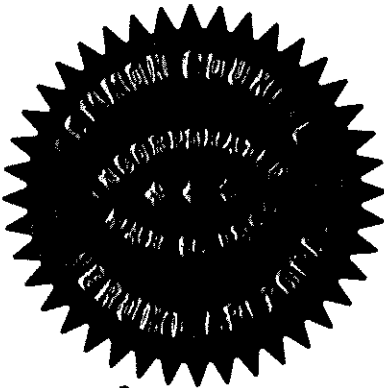
Section 2. All other provisions of Ordinance 362 shall remain in effect and are hereby ratified and confirmed.

Section 3. This Ordinance shall be published following its final adoption in accordance with the provisions of A.R.S. §39-204.

Section 4. A certified copy of this Ordinance shall be provided forthwith to the Arizona Department of Commerce.

Section 5. This Ordinance shall take effect 30 days after final adoption, as provided by law, but the repeal provided herein shall be retroactive to January 1, 2010.

FINALLY APPROVED this 9th day of March, 2010.



ATTEST:

Candace Gallagher
Candace Gallagher, Town Manager/Clerk

Al Palmieri
Al Palmieri, Mayor

APPROVED AS TO FORM:



Kathleen G. Williamson
Kathleen G. Williamson, Williamson & Young, PC
Town Attorney

I, the duly appointed Deputy Clerk of the Town of Jerome, Arizona, or my representative, hereby certify that Ordinance No. 370 was posted in accordance with A.R.S. § 9-813 on the following dates and times, and at the following places:

	DATE	TIME	PLACE
1	3.15.10	7:00 pm	301 Main Street, second floor, exterior posting case
2	3.15.10	7:00 pm	970 Gulch Road, side of Gulch Fire Station, exterior posting case
3	3.15.10	7:00 pm	601 Clark Street, Jerome Town Hall, exterior posting case
4	3.15.10	7:00 pm	120 Main Street, Jerome Post Office, exterior posting case

R.A. Shemaitis
R.A. Shemaitis, Deputy Clerk