


RESOLUTION NO. 98-396

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "THE 1998 AMENDMENTS TO THE TAX CODE OF THE TOWN OF CAMP VERDE, ARIZONA".


BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA:

THAT certain document entitled "THE 1998 AMENDMENTS TO THE TAX CODE OF THE TOWN OF CAMP VERDE, ARIZONA", three copies of which are on file in the office of the town clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the town clerk.

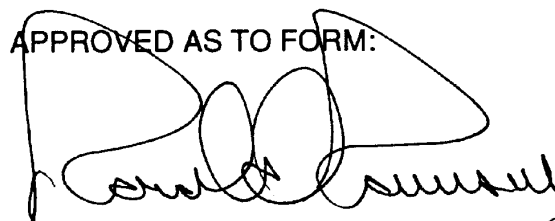
PASSED AND ADOPTED BY THE Mayor and Council of the Town of Camp Verde, Arizona, this 20th day of May, 1998.

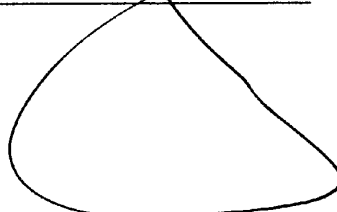
  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Town Attorney



PUBLISH: 5/27/98 and 6/3/98

ORDINANCE NO. 98-A135

AN ORDINANCE OF THE TOWN OF CAMP VERDE, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "THE 1998 AMENDMENTS TO THE TAX CODE OF THE TOWN OF CAMP VERDE, ARIZONA" BY REFERENCE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA:

Section 1: That certain document known as "The 1998 Amendments to the Tax Code of the Town of Camp Verde, Arizona," three copies of which are on file in the office of the town clerk of the Town of Camp Verde, Arizona, which document was made a public record by Resolution No. 98-398 of the Town of Camp Verde, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2: Except as provided in Section 3 of this ordinance, the provisions of this ordinance and the public record adopted herein are effective from and after July 1, 1998.

Section 3: The following provisions of the public record adopted herein are retroactive to April 1, 1987:

- (a) The definition of "Construction Contractor" as amended and the definition of "Remediation" as added to Section 1. Section 8-100. General Definitions
- (b) Subsection (a), paragraph (16) on "Cleanrooms" as added to Section 2. Section 8-110. Definitions: Income-producing capital equipment
- (c) Section 10. Subsection (aa) of Section 8-465. Retail Sales: exemptions
- (d) Section 12. Subsection (aa) of Section 8-660. Use Tax: exemptions
- (e) Section 13. Regulation 8-100.5. Remediation Contracting


Section 4: Any person found guilty of violating any provision of these amendments to the tax code shall be guilty of a class one misdemeanor. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section 5: If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of these amendments to the tax code adopted herein by reference 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.

PASSED AND ADOPTED by the Mayor and Council of the Town of Camp Verde, Arizona, this 20 day of May, 1998.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

## INTRODUCTION AND SUMMARY OF 1998 TAX CODE CHANGES

The 1998 amendments to the tax code are the result of approximately eight months of negotiations with the business community. Much in these amendments conform the Model City Tax Code with State statute. As you will notice in the attached adopting ordinance, several of the sections have a retroactive effective date of April 1, 1987. The retroactive dates apply to sections pertaining to environmental remediation and cleanrooms, and again, conform the tax code with State statute.

The changes to the tax code proposed in the 1998 amendments were all approved by the Municipal Tax Code Commission on October 31, 1997 and April 9, 1998.

The technical and conforming amendments were submitted by the League on behalf of the Unified Audit Committee composed of city tax officials and the Department of Revenue. Although a few of the amendments are a direct result of the preemptive state legislation, a significant part of these changes resulted from comments or suggestions by business representatives on desired amendments to the tax code.

Under an agreement that the League has with the business community, we will now seek adoption of the Commission's approved changes by all cities and towns. As a reminder, we were able to defeat legislation four years ago that would have required conformance of the local sales tax base to the state's base by agreeing to seek and achieve adoption of amendments approved by the Commission in exchange for ATRA, the State Chamber and the Arizona Association of Industries not seeking preemptive legislation for five years.

The enclosed amendment tailors the approved changes to your current tax code. Following adoption by your city or town and notification to the League, we will integrate the amendment into your tax code and mail the amended pages. The effective date of most of the amendments is July 1, 1998 which means that we are urging adoption before June 1, 1998. Tax code changes do not go into effect until 30 days after passage.

Although there are differing opinions on whether a public hearing is required, we recommend that a public hearing be held by the city or town council prior to adoption of the amendment. Under A.R.S. § 42-1454, notice of the hearing must be published at least once in a newspaper of general circulation in the city or town at least fifteen days before the hearing. The hearing can be held in conjunction with a regular or special council meeting. If you desire assistance with the public hearing or with explanation of the amendments to the city/town council, this can be arranged by calling the League office.

This amendment has been prepared as a public record to allow adoption by reference. The resolution declaring the amendment as a public record should be adopted prior to adoption of the ordinance. Both, however, can be accomplished at the same meeting. Publication of the adopting ordinance should follow adoption. Under the adoption by reference procedure, publication of the full text of the amendment is not required.

Following is a section by section summary of each change to the code. There are several amendments to the code that pertain to local or model options, and these are highlighted by an asterisk (\*). These particular amendments may or may not affect your local tax code.

As always, questions on the tax code or these amendments can be directed to the League. We, in turn, will call upon knowledgeable tax officials from several cities and towns if your question involves an issue beyond our general expertise.