

ORDINANCE NO. 900

AN ORDINANCE OF THE CITY OF OYSTER CREEK, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT; FIXING AND LEVYING MUNICIPAL AD VALOREM **TAXES** FOR SAID CITY FOR TAX YEAR **2024**; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the City of Oyster Creek, Texas (“the City”) was duly incorporated as a municipality under the provisions of Chapter 11, Title 28, Revised Civil Statutes of Texas (1925) now codified as Chapter 7 of the Texas Local Government Code; and

WHEREAS, by virtue of Ordinance No. 71 of the City, read, passed, and approved on the 15<sup>th</sup> day of November, 1977, and pursuant to the authority of Article 961 of said Statutes, now codified as Subchapter B of Chapter 6 of said Code, the governing body of the City adopted the provisions of Chapter 1 through 10 of said Title 28 and is now a Type A General Law Municipality; and

WHEREAS, a Type A General Law Municipality is authorized by the provisions of Subchapter A of Chapter 302 of the Texas Tax Code and Article VIII of the Constitution of Texas to levy, assess and collect an annual ad valorem tax, not exceeding One and Fifty One-Hundredths (\$1.50) Dollars per One Hundred (\$100.00) Dollars valuation of taxable property within its corporate limits, for public purposes, including but not being limited to, current expenses, the retirement of lawful debts and the creation of an Interest and Sinking Fund for the redemption of bonds issued by the governing body of such municipality; and

WHEREAS, pursuant to the provisions of Section 26.01, Texas Property Tax Code, the Brazoria County Central Appraisal District timely certified the tax roll to the Assessor for the City; and

WHEREAS, the Tax Assessor–Collector of the City, pursuant to the provisions of the Texas Tax Code, timely calculated the proposed tax rate and caused notice of such proposed rate to be published in The Facts; and

WHEREAS, pursuant to the provisions of Chapter 102 of said Local Government Code, the Mayor of the City timely filed with the City Secretary his proposed budget for fiscal year which will begin on **October 1, 2024**; and

WHEREAS, The Facts is a newspaper published in Brazoria County, Texas having a general circulation within the corporate limits of the City, and there are no newspapers published within the corporate limits of the City; and

WHEREAS, said Chapter 102 of the Texas Local Government code provides that the governing body of a municipality shall each year provide for a public hearing on its budget to be held not less than sixteen (16) days after the time the budget is filed as provided herein; and

WHEREAS, Chapter 102 of said Code provides that the governing body of the City shall place a notice in at least one newspaper of general circulation in the County where the City is located not more than thirty (30) not less than ten (10) days before a public hearing relating to the fiscal budget; and

WHEREAS, pursuant to the provisions of said Chapter 102, a notice was timely published in The Facts stating that a public hearing on the budget for the fiscal year which will begin on **October 1, 2024**, would be held by the City Council of the City of Oyster Creek, Texas on **September 4, 2024**, in the Council Chambers of the Oyster Creek City Hall, located at 3210 F.M. 523 within the corporate limits of the City, in Brazoria County, Texas; and

WHEREAS, the above mentioned public hearing has been conducted on the day, at the time, and in the manner prescribed by said Chapter 102 of said Code and thereafter, at a meeting of the City Council of the City of Oyster Creek, Texas, held on **September 5, 2024**, by separate ordinance of said City, the budget of the City for its fiscal year which will begin on **October 1, 2024**, was adopted; and

WHEREAS a Notice of the maximum tax rate proposed by the City Council was published in The Facts at least seven (7) days before the Council meeting at which this Ordinance is being adopted; and

WHEREAS, all procedures, prerequisites, and requirements of law concerning this ordinance and the tax rate herein have been satisfied; and

WHEREAS, the ad valorem tax for such fiscal year, herein levied for the current expenses of the City and the general improvement of the City and its property must be levied to provide the revenue requirements of such budget as amended; and

WHEREAS, the taxes for such fiscal year hereinafter levied therefore are necessary to pay interest on and provide the required sinking fund on bonds heretofore issued, if any; and

WHEREAS, the adoption of this ordinance is necessary to the health, safety, morals, and general welfare of the City; and

WHEREAS, all procedures, prerequisites, and requirements of law have been satisfied concerning this ordinance and tax rate herein; and

WHEREAS, this paragraph is a summary of the tax rates adopted by this ordinance, and this summary shall not change the meaning of the sections actually adopting the tax rates:

<b>\$0.157431</b>	<b>Maintenance and Operations Tax Rate (Section 2)</b>
<b><u>\$ 0</u></b>	<b>Interest and Sinking Fund Tax Rate (Section 3)</b>
<b>\$0.157431</b>	<b>Total Tax Rate</b>

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OYSTER CREEK, TEXAS:

1. The City Council of Oyster Creek, Texas, has determined and hereby declares that the facts recited in the preamble of this ordinance are true.

2. For the current expenses of the City of Oyster Creek, Texas, and for the general improvement of the City and its property, there is hereby levied and ordered to be assessed and collected for tax year **2024** and for each year thereafter until otherwise ordained, on all property, real, personal and mixed, located in the corporate limits of the City of Oyster Creek, Texas, in Brazoria County, Texas on January 1 of that year, and not exempt from taxation by valid laws, an ad valorem tax rate at the rate of **\$0.157431** per One Hundred (\$100.00) Dollars valuation of such property.

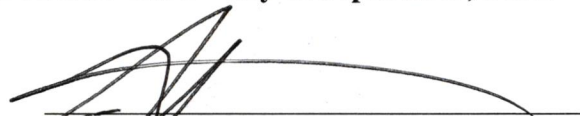
**3. Additional ad valorem property tax rate for interest and sinking fund for debt: None, because the City owes no bonds or other debt that would require such a tax.**

**4. THIS YEAR'S TAX LEVY TO FUND MAINTENANCE AND OPERATIONS EXPENDITURES DOES NOT EXCEED LAST YEAR'S MAINTENANCE AND OPERATIONS TAX LEVY.**

5. In the event any provision, of whatever size, of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining provisions of this ordinance and such remaining provision shall remain in full force and effect.

6. This ordinance shall take effect and be in force from and after its passage and approval.

READ, PASSED, APPROVED, AND ADOPTED this **5<sup>th</sup>** day of **September, 2024**.

  
JUSTIN MARK MILLS, MAYOR  
CITY OF OYSTER CREEK, TEXAS

ATTEST:

  
ANDI FORD, CITY SECRETARY  
CITY OF OYSTER CREEK, TEXAS

