

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-18-22**

AN ORDINANCE RELATING TO THE LEVYING OF A TAX UPON REAL ESTATE AND PERSONAL PROPERTY IN THE CITY OF FLORENCE, KENTUCKY; LEVYING A TAX ON ALL FRANCHISES TAXABLE WITHIN THE CITY OF FLORENCE, KENTUCKY; SPECIFYING PAYMENT DATES, DISCOUNTS AND PENALTIES FOR THE FRANCHISE TAX ON FINANCIAL INSTITUTIONS MEASURED BY THE DEPOSITS IN THE INSTITUTIONS LOCATED WITHIN THE CITY; AND LEVYING A SPECIAL TAX FOR THE PAYMENT OF CURRENT SERVICE COSTS FOR POLICE AND FIREMEN IN THE COUNTY EMPLOYEES RETIREMENT SYSTEM. (2022)

WHEREAS, under the provisions of the Kentucky law, it is necessary that the City levy its tax upon real and personal estate or property annually by ordinance, and

WHEREAS, this Council, after a thorough study of all these matters, has recommended that the rate of the tax to be levied upon all real and personal estate or property located within the City of Florence, Kentucky, for regular general fund purposes for the year 2022, shall be eighteen and one-tenths cents (\$.181) on each One Hundred Dollars of value of real property, and thirty-one and three-tenths cents (\$.313) on each One Hundred Dollars of value of personal property, and

WHEREAS, pursuant to KRS 78.530(3)(c) the City is authorized to levy a special property tax to pay current service costs for Police and Firemen in the County Employees Retirement System (the "System") and a determination has been made that an amount equal to six and five-tenths cents (\$.065) per One Hundred Dollars of value of real and personal property is sufficient to pay such costs for the year 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

A tax of eighteen and one-tenths cents (\$.181) on each One Hundred Dollars of value as of January 1, 2022, is hereby levied upon real property and a tax of thirty-one and three-tenths cents (\$.313) on each One Hundred Dollars of value as of January 1, 2022, is hereby levied upon personal property (except for motor vehicles and watercraft) located within the corporate limits of the City of Florence, Kentucky, and on all personal estate or property except such tangible personal property as has an actual bona fide situs without the corporate limits of the City of Florence, Kentucky, on the first day of January, 2022, and upon all franchises taxable by the City of Florence, Kentucky, and all of said taxes hereby levied are to be assessed in the manner hereinabove provided by law.

SECTION II

Pursuant to the Bank Franchise and Local Deposit Tax Act, KRS 136.575, (the "Act"), by Ordinance No. O-18-96, the City levied a franchise tax on financial institutions measured by the deposits in financial institutions located within the boundaries of the City. Such franchise tax for the calendar year shall be at the rate of twenty-five thousandths of one percent (0.025%) of the deposits and shall be due January 31, 2023. A two percent (2%) discount shall be allowed for any franchise tax for the calendar year 2021 which is paid on or before December 31, 2022. Pursuant to KRS 136.575(4) the City shall issue bills for the 2022 franchise tax to financial institutions on or before December 1, 2022.

The definitions of the terms used in this section shall correspond to the definitions used for those terms in the Act.

The discount provisions of Section VII and the penalty provisions of Section VI of this Ordinance shall not apply to the financial institutions franchise tax described in this section.

Any such franchise tax for the calendar year 2022 which is unpaid after the 31st day of January, 2023, shall bear a penalty of twelve percent (12%), plus interest on the amount of unpaid taxes at the rate of twelve percent (12%) per annum from January 31, 2023, until paid.

In all subsequent years the City shall issue bills to the financial institutions by December 1st and require payment, with a two percent (2%) discount by December 31st, or without discount by January 31st of the next year. Franchise taxes unpaid after January 31st of the next year shall bear penalty of twelve percent (12%) plus interest on the amount of unpaid taxes at the rate of twelve percent (12%) per annum from such January 31st until paid.

SECTION III

All of the taxes hereinabove levied are, when levied, assessed and collected, to be placed in the General Fund and used for the general purposes of the City of Florence, Kentucky.

SECTION IV

Pursuant to KRS 78.530(3)(c), an annual tax of six and five-tenths cents (\$.065) on each One Hundred Dollars of value as of January 1, 2022, is hereby levied upon all real and personal estate or property located within the corporate limits of the City of Florence, Kentucky; and on all personal estate or property (except for motor vehicles and water craft) except such tangible personal property as has an actual bona fide situs without the corporate limits of the City of Florence, Kentucky, on the first day of January, 2022, and upon all franchises taxable by the City of Florence, Kentucky, and all of said taxes hereby levied are to be assessed in the manner heretofore provided by law.

This annual tax herein levied is for the purpose of payment of the City's obligation for current service costs for Police and Firemen in the County Employees Retirement System incurred after

the date of participation by the City in the system. Same when collected shall be used only for the purpose stated above.

The tax levied in this section is a continuation of the tax which had been devoted to funding pension obligations under the locally administered Police and Firemen's Pension Fund of the City prior to participation in the system.

SECTION V

All taxes herein levied and provided for shall be collected by the Finance Department and shall be payable at the office of the Finance Director. Billing for such taxes shall be in the same form and manner as billing for county ad valorem taxes.

SECTION VI

All taxes herein levied and provided for shall be due and payable upon the passage and publication of this Ordinance, and any and all such taxes remaining unpaid after the first day of January, 2023, shall bear a penalty of twelve percent (12%) plus interest on the amount of taxes at the rate of twelve percent (12%) per annum from the first day of January, 2023, until paid.

SECTION VII

A discount of two percent (2%) of the total of any and all taxpayer's tax bill shall be deducted from the amount of said tax bill if same is paid in full by November 1, 2022.

SECTION VIII

The Ordinance shall be in full force and effect from and after its passage, adoption and publication according to law.

SECTION IX

All ordinances, resolutions or parts thereof, in conflict herewith, are to the extent of such conflict hereby repealed.

SECTION X

If any section, paragraph or clause of this Ordinance be held by a proper Court to be invalid, such invalidity shall not affect the remaining sections, paragraphs or clauses, it being hereby expressly declared that the remainder of this Ordinance would have been passed despite such invalidity.

SECTION XI

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 6th DAY OF SEPTEMBER, 2022.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 13th DAY OF SEPTEMBER, 2022.

APPROVED:

/s/ Diane E. Whalen
Diane E. Whalen, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk