

**ORDINANCE NO. 1298
SERIES 2022**

**REPEAL OF CHAPTER 9, ARTICLE IV (UTILITIES), SEC. 9-61 (USE TAX PRORATION
AS APPLIED TO CERTAIN CONSTRUCTION EQUIPMENT) IN ITS ENTIRETY**

WHEREAS, The Code of the City of Cortez, Colorado, Chapter 9, Article IV (Utilities), Section 9-61 (Use Tax – Proration as applied to certain construction equipment) is not in current use and applicable taxes have not been collected in recent memory; and

WHEREAS, the City of Cortez is not reliant upon the tax dollars that would presumably be collected under this section; and

WHEREAS, the City administration does not intend to seek collection of this tax in the future; and

WHEREAS, it is a governing best practice to limit taxation to the degree possible, and repeal taxing authority when appropriate.

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT Chapter 9, Article IV (Utilities), Section 9-61 (Use Tax – Proration as applied to certain construction equipment) is hereby REPEALED in its entirety.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, the repealed portion of the Ordinance shall be removed from the published City Code upon authentication by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon final passage.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 8th day of March, 2022, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 22nd DAY OF FEBRUARY, 2022.

CITY OF CORTEZ

ATTEST:



LINDA L. SMITH, CITY CLERK



RACHEL MEDINA, MAYOR PRO-TEM

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 8TH DAY OF MARCH, 2022.

CITY OF CORTEZ

ATTEST:

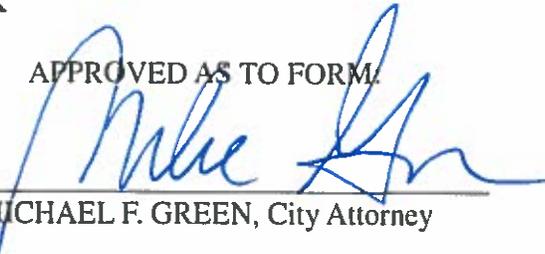


LINDA L. SMITH, CITY CLERK



MICHAEL J. LAVELY, MAYOR

APPROVED AS TO FORM:



MICHAEL F. GREEN, City Attorney