

AN ORDINANCE OF THE CITY OF VILLA HILLS IN KENTON COUNTY, KENTUCKY, LEVYING A SPECIAL AD VALOREM TAX ANNUALLY IN AT THE RATE OF 6.7 CENTS (\$0.067) ON EACH ONE HUNDRED (\$100.00) DOLLARS OF ASSESSED VALUATION UPON ALL TAXABLE REAL PROPERTY WITHIN THE CITY OF VILLA HILLS, KENTUCKY, IN ORDER TO PROVIDE FUNDING FOR ROAD MAINTENANCE OF PUBLIC STREETS WHICH HAVE BEEN ACCEPTED BY THE CITY FOR MAINTNEANCE; PROVIDING FOR THE COLLECTION OF SAID TAX; ESTABLISHING A FUND FOR THE DEPOSIT OF THE PROCEEDS THEREOF; PROVIDING FOR THE DISBURSEMENT, EXPENDITURE, PLEDGE, ENCUMBRANCE AND TRANSFER OF THE PROCEEDS OF SUCH TAX; PROVIDING FOR THE REDUCTION OF THE RATE OF SUCH TAX IN ANY FISCAL YEAR BY ORDINANCE OF THE CITY COUNCIL; TAKING OTHER ACTION IN RELATION TO SUCH TAX; AND REPEALING ORDINANCES 2014-3 AND 2015-9, AFTER APPROVAL OF THE BALLOT QUESTION.

**BE IT ORDAINED BY THE CITY OF VILLA HILLS, KENTUCKY:**

**SECTION I:** In order that the City of Villa Hills, Kentucky, (the “City”) may provide funding for a road maintenance described and identified as the maintenance and repair, improvement, overlay, building, reconstruction and replacement of public streets and roads in the City which have been accepted by the City for maintenance, and including the widening thereof and the repair, maintenance, improvement and addition of curbs, sidewalks, gutters, pipes and catch basins and other drainage facilities, street signage and fixtures, and the installation, improvement, or repair of handicap accessible ramps in the right of way (“road maintenance”), there is hereby levied a special ad valorem tax annually at the rate of 6.7 cents (\$0.067) on each One Hundred (\$100.00) Dollars of assessed valuation on all real taxable property within the City, which tax is deemed and found by the Council of the City to be sufficient to defray the cost of road maintenance (“road funding”). The tax for the year 2016 shall be based upon the assessed valuation of all taxable property within the City as of January 1, 2016, and in all succeeding years the tax shall be based upon the assessed valuation of all taxable property within the City as of January 1 of that year.

**SECTION II:** The tax revenues generated by the special ad valorem tax shall be in addition to other taxes imposed by the City and shall be used solely for road maintenance as defined in Section 1. The special ad valorem tax shall be due at the same time and be collected in the same manner, from time to time in effect, as are other ad valorem taxes levied by the City and taxes not paid shall be subject to the same interest, penalty and cost of collection expenses, from time to time in effect, as are other ad valorem taxes levied by the City.

**SECTION III:** There is hereby created a separate fund to be known as the “Road Fund” (hereinafter sometimes referred to as the “Fund”) into which shall be transferred and set aside the proceeds of the special ad valorem tax. All proceeds of the Fund shall be kept apart from other funds of the City and shall be accounted for separately. The proceeds in the Fund shall be invested in accordance with the applicable law and all income derived therefrom shall be carried to the credit of said Fund and shall become a part of the proceeds of said Fund. The proceeds constituting the Fund shall not be disbursed, expended, pledged, encumbered or transferred for any use or purpose other than provided by this Ordinance. Any proceeds remaining in the Fund at the end of any fiscal year shall remain in the Fund and be carried over to the succeeding fiscal year for use as provided by this Ordinance.

**SECTION IV:** To the extent permitted under and in accordance with the Constitution of the Commonwealth of Kentucky and other applicable laws and regulations, proceeds anticipated to be derived, and the proceeds held in the Fund so derived, from the special ad valorem tax levied hereunder may be pledged, encumbered and/ or expended to pay the principal and interest on any indebtedness incurred, including bonds issued, by the City to carry out and perform road maintenance.

**SECTION V:** In any fiscal year in which the Council of the City determines that the full amount of the special ad valorem tax levied hereunder is not necessary to fund road maintenance, the City may by Ordinance in any fiscal year reduce the rate of the special ad valorem tax for such year below the amount set forth herein. In any fiscal year following the fiscal year for which the special ad valorem tax rate may have been reduced by Ordinance, the special ad valorem tax rate shall revert to the maximum amount as set forth in this Ordinance unless reduced for such subsequent year by Ordinance.

**SECTION VI:** It shall be considered that it is the intent of the Council of the City in enacting this Ordinance, that if any part of this Ordinance be held unconstitutional or invalid, the remaining parts shall remain in force, unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional or invalid part that it is apparent that Council would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of Council.

**SECTION VII:**

**A.** Pursuant to Kentucky Revised Statutes Section (KRS) 65.125 (2) (b), upon first reading of this Ordinance, the Mayor shall direct that a copy of this Ordinance be delivered to the County Clerk.

**B.** Upon receipt of the Ordinance, pursuant to KRS 65.125 (2) (c), the County Clerk shall have prepared the question, which shall be similar to the attached “Ballot Question”. The question shall be placed before the voters of the City of Villa Hills at the next regular election. The election shall be held and reported in accordance with KRS 65.125 (2) (c) and (d).

C. Pursuant to KRS 65.125 (2) (e) , upon passage of the question by a simple majority of those voting, the City Council of the City of Villa Hills may proceed with the final adoption of this Ordinance levying the special ad valorem tax rate not to exceed that approved by the voters.

**SECTION VIII:** After passage of the Ballot Question, Ordinances 2014-3, and 2015-9 are repealed at the earliest allowable date pursuant to Kentucky Revised Statutes. The purpose of this repeal is to allow the special ad valorem tax adopted and approved herein to replace the revenue provided by those ordinances and return the Insurance Premium Tax to the 2013 rate of five percent (5%). If the Ballot Question is not approved, and therefore the special ad valorem tax is not adopted and approved, Ordinances 2014-3 and 2015-9 shall remain in full force and effect.

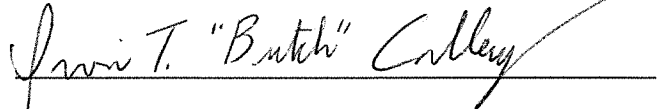
**SECTION IX:** All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, if any, hereby repealed.

**SECTION X:** This Ordinance shall take effect and be in full force from and after its passage, publication, which may be in summary form, and recording, according to law.

Passed by the City Council this 9th day of December, 2015.

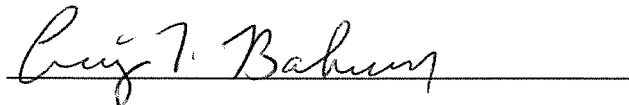
City of Villa Hills, Kentucky

A Municipal Corporation of the Home Rule Class



Irvin T. "Butch" Callery, Mayor

ATTEST:



Craig T. Bohman, City Administrator/Clerk

Sponsor: Waugaman

First Reading: July 29, 2015

Second Reading: December 9, 2015

Ayes: 6

Nays: 0

Abstentions: n/a Absent: n/a

Published: 1-4-2016

**BALLOT QUESTION:**

**ARE YOU IN FAVOR OF THE PROPOSAL ENTITLED "ROAD FUNDING" WHICH WOULD REDUCE THE INSURANCE PREMIUM TAX FROM 10% TO 5% AND APPROVE THE ADOPTION OF THE PROPOSED SPECIAL ROAD TAX AT A RATE OF 6.7 CENTS (\$0.067) ON EACH ONE HUNDRED (\$100.00) DOLLARS OF THE ASSESSED VALUATION UPON ALL TAXABLE REAL PROPERTY WITHIN THE CITY IN ORDER TO PROVIDE FUNDING FOR THE REPAIR AND MAINTENANCE OF CITY STREETS?**

**YES** \_\_\_\_\_

**NO** \_\_\_\_\_

# Cumulative Report — Unofficial GENERAL ELECTION HELD ON — OFFICIAL BALLOT FOR KENTON COUNTY — November 03, 2015

Total Number of Voters : 31,674 of 0 = 0.00%

Precincts Reporting 108 of 108 = 100.00%

Party	Candidate	Absentee	Early	Election	Total
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STATE TREASURER, Vote For 1								
REP	Allison BALL	0	0	0.00%	20,127	66.10%	20,127	66.10%
DEM	Rick NELSON	0	0	0.00%	10,321	33.90%	10,321	33.90%

		Cast Votes:	0	0.00%	30,448	96.13%	30,448	96.13%
		Over Votes:	0	0.00%	1	0.00%	1	0.00%
		Under Votes:	0	0.00%	1,225	3.87%	1,225	3.87%

COMMISSIONER of AGRICULTURE, Vote For 1								
REP	Ryan F. QUARLES	0	0	0.00%	19,149	63.70%	19,149	63.70%
DEM	Jean-Marie LAWSON SPANN	0	0	0.00%	10,912	36.30%	10,912	36.30%

		Cast Votes:	0	0.00%	30,061	94.91%	30,061	94.91%
		Over Votes:	0	0.00%	0	0.00%	0	0.00%
		Under Votes:	0	0.00%	1,613	5.09%	1,613	5.09%

MEMBER BOARD of EDUCATION Covington Independent School District (Unexpired Term), Vote For 1								
		Cast Votes:	0	0.00%	2,457	100.00%	2,457	100.00%
		Over Votes:	0	0.00%	2,457	62.19%	2,457	62.19%
		Under Votes:	0	0.00%	0	0.00%	0	0.00%

QUESTION, Vote For 1								
YES	<i>Results of</i>	0	0	0.00%	1,372	59.29%	1,372	59.29%
NO	<i>Village Hills</i>	0	0	0.00%	942	40.71%	942	40.71%
		Cast Votes:	0	0.00%	2,314	94.53%	2,314	94.53%
		Over Votes:	0	0.00%	0	0.00%	0	0.00%
		Under Votes:	0	0.00%	134	5.47%	134	5.47%

Results of  
Village Hills  
Road Tax