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**MEMORANDUM**

**To:** Mayor and City Council

**From:** Warren Hutmacher, City Manager

**Date:** 6/20/2011

**Subject:** **Second Read: Ordinance Establishing the 2011 Ad Valorem Tax Rate**

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**ITEM DESCRIPTION**

Second Read: Ordinance Establishing the 2011 Ad Valorem Tax Rate

**BACKGROUND**

There is one public hearing required under Georgia Code 48-5-32 prior to Council formally setting ad valorem tax rate for the City of Dunwoody. No other hearings are required as this assessment does not represent an increase over 2010's level.

The proposed millage rate is a levy of 2.74 mills or \$2.74 for every \$1,000 of the assessed value of property (about 40% of the fair market value.) This rate applies to both real property and personal property for businesses.

Collection of the ad valorem taxes will contribute to General Fund revenues for the general operations of the City including police, public works, community development, and administration; as well as capital projects.

**RECOMMENDED ACTION**

Staff respectfully request that Council approve the ordinance establishing the 2011 ad valorem tax rate.

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF  
DUNWOODY, GEORGIA TO FIX THE AD VALOREM TAX RATE OF THE  
CITY OF DUNWOODY FOR FISCAL YEAR 2011 AND FOR OTHER  
PURPOSES**

**WHEREAS**, the City of Dunwoody is charged with operating and maintaining City Government and pursuant to the Charter of the City of Dunwoody to provide for the assessment of ad valorem property taxes on all real and personal property subject to ad valorem taxation; and

**WHEREAS**, the millage rate set by the City of Dunwoody for fiscal year 2010 was 2.74 mills; and

**WHEREAS**, the City of Dunwoody has approved a contract with the Tax Commissioner of DeKalb County, Georgia to serve as Tax Collector for the City for the collection of ad valorem taxes; and

**WHEREAS**, due to the decrease in the Tax Digest for properties within the boundaries of the City of Dunwoody, the City’s anticipated millage rate will not result in a tax increase; and

**WHEREAS**, the City Council has properly given notice, and held one public hearing, in accordance with the law of the State of Georgia, on June 20, 2011 at 7 p.m. for the purpose of receiving relevant evidence, testimony, and public comment concerning the proposed millage rate for ad valorem property taxes; and

**WHEREAS**, the Mayor and City Council, after hearing and after duly considering all such relevant evidence, testimony and public comment, has determined that it is in the best interest of, and necessary to meet the expenses and obligations of, the City of Dunwoody to set a levy in the amount of 2.74 mills on each \$1,000.00 of taxable value for all property subject to ad valorem taxation by the City.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF DUNWOODY, GEORGIA, HEREBY ORDAINS**, as follows:

**SECTION 1:** The ad valorem tax at the rate for the City of Dunwoody, Georgia for the 2011 fiscal year on property subject to ad valorem taxation by the City, is hereby fixed at 2.74 mills on each \$1,000.00 of taxable value or any part thereof of the value of all real and personal property which under the Laws of this State is subject to taxation within the corporate limits of the City for this purpose. Said millage rate is hereby levied for general government purposes.

**SECTION 2:** Pursuant to the approved contract with the Tax Commissioner of DeKalb County the billing date and due date for ad valorem taxes for the City shall be the same as those for DeKalb County.

#L.3.

**STATE OF GEORGIA  
CITY OF DUNWOODY**

**ORDINANCE 2010-06-XX**

**SECTION 3:** The Tax Commissioner of DeKalb County or other designated tax collector is hereby authorized to bill and collect ad valorem taxes for the City of Dunwoody for fiscal year 2011 based on the millage rate set herein and to take, on behalf of the City, such actions authorized by the approved contract with the Tax Commissioner and State of Georgia law as may be necessary for this process.

**SECTION 4:** The City Manager is hereby authorized to execute the Millage Rate Rollback Calculation Worksheet based upon the millage rate hereby adopted by the Mayor and Council and submit same to the Tax Commissioner of DeKalb County.

**SECTION 5:** This ordinance hereby repeals any and all conflicted ordinances.

**SECTION 6:** This ordinance shall become effective immediately upon its adoption by the City Council.

**SO ORDAINED**, this 20<sup>th</sup> day of June, 2011.

Approved:

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Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

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Sharon Lowery, City Clerk  
(Seal)

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Brian Anderson, City Attorney