

Title 3

REVENUE AND FINANCE

Chapters:

- 3.04 Bond Collection
- 3.08 Low Rent Housing project
- 3.12 Annual Budget

Chapter 3.04

BOND COLLECTION

Sections:

3.04.010 Authorized.

3.04.010 Authorized. The town clerk of the town of Hanna is authorized and directed to collect bonds for and on behalf of the town police judge in such amounts as from time to time the town police judge shall determine to be appropriate. Proper records of all sums paid shall be kept by the town clerk, and the town clerk shall have authority to issue receipts for such amounts. All amounts so collected shall be handled in the same manner as other bond forfeitures are handled and a disposition made in the same manner. (Ord. 49, 1976)

Chapter 3.08

LOW RENT HOUSING PROJECT

Sections:

- 3.08.010 Definitions.
- 3.08.020 Objectives.
- 3.08.030 Payments in lieu of taxes.
- 3.08.040 Development and administration.
- 3.08.050 Improvements.
- 3.08.060 Failure of town to furnish public services and facilities.
- 3.08.070 Cooperation ordinances.
- 3.08.080 Obligation.

3.08.010 Definitions. Whenever used in this chapter, the words set out in this section shall have the following meanings:

A. "Project" means any low rent housing hereafter developed as an entity by the town with financial assistance of the United States of America, acting through the Secretary of Housing and Urban Development (hereinafter called the "government"), excluding, however, any low rent housing project covered by any contract for loans and annual contributions entered into between the town and the government, or its predecessor agencies, prior to the date of the ordinance codified in this chapter.

B. "Shelter rent" means the total of all charges to all tenants of a project for dwelling rents and nondwelling units (excluding all other income of such project), less the cost to the town of all dwelling and nondwelling utilities.

C. "Slum" means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

D. "Taxing body" means the state or any political subdivision or taxing unit thereof in which a project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to a project if it were not exempt from taxation. (Ord. 100 §1, 1980)

3.08.020 Objectives. The town shall endeavor:

A. To secure a contract or contracts with the government for loans and annual contributions covering a project comprising twenty units of low rent housing;

B. To develop and administer such projects which shall be located within the corporate limits of the town. The obligations of the town hereto shall apply to such projects. (Ord. 159, 1982; Ord. 100 §2, 1980)

3.08.030 Payments in lieu of taxes.

A. Under the Constitution and statutes of the state, all projects are exempt from all real and personal property taxes and special assessments levied or imposed by any taxing body. With respect to any project, so long as either:

1. Such project is owned by a public body or governmental agency and is used for low rent housing purposes; or

2. Any contract between the town and the government for loans or annual contributions, or both, in connection with such project remains in force and effect; or

3. Any bonds issued in connection with such project or any moneys due to the government in connection with such project remain unpaid; whichever period is the longest, the town declares that it will not levy or impose any real or personal property taxes for special assessments upon such project or upon the town with respect thereto. During such period, the town shall make annual payments (herein called "payments in lieu of taxes") in lieu of all property taxes and special assessments and in payment for the public services and facilities furnished from time to time without other cost or charge for or with respect to such project.

B. Each such annual payment in lieu of taxes shall be made after the end of the fiscal year established for such project, and shall be in an amount equal to either:

1. Ten percent of the shelter rent charged by the town in respect to such project during such fiscal year; or
2. The amount permitted to be paid by applicable state law in effect on the date such payment is made; whichever amount is the lower.

C. The town shall distribute the payments in lieu of taxes among the taxing bodies in the proportion which the real property taxes which would have been paid to each taxing body for such year if the project were not exempt from taxation bear to the total real property taxes which would have been paid to all of the taxing bodies for such year if the project were not exempt from taxation; provided, however, that no payment for any year shall be made to any taxing body in excess of the amount of the real property taxes which would have been paid to such taxing body for such year if the project were not except from taxation.

D. Upon failure of the town to make any payment in lieu of taxes, no lien against any project or assets of the town shall attach, nor shall any interest or penalties accrue or attach on account thereof. (Ord. 100 §3, 1980)

3.08.040 Development and administration. During the period commencing with the date of the acquisition of any part of the site or sites of the project and continuing so long as either:

A. Such project is owned by a public body or governmental agency and is used for low rent housing purposes; or

B. Any contract between the town and the government for loans or annual contributions, or both, in connection with such projects remains in full force and effect; or

C. Any bonds issued in connection with such project remain unpaid; whichever period is the longest, the town without cost or charge to the tenants of such project (other than the payments in lieu of taxes) shall:

1. Furnish or cause to be furnished to the tenants of such project public services and facilities of the same character and to the same extent as are furnished from time to time without cost or charge to other dwellings and inhabitants in the town,

2. Vacate such streets, roads and alleys within the area of such project as may be necessary in the development thereof; and, insofar as it is lawfully able to do so without cost or expense to the town, cause to be removed from such vacated areas, insofar as it may be necessary, all public or private utility lines and equipment,

3. Insofar as the town may lawfully do so;

- a. Grant such deviations from the building code of the town as are reasonable and necessary to promote economy and efficiency in the development and administration of such project, and at the same time safeguard health and safety, and

b. Make such changes in any zoning of the site and surrounding territory of such project as are reasonable and necessary for the development and protection of such project and the surrounding territory,
 4 Accept grants of easements necessary for the development of such project, and
 5 Take such other lawful actions or act in such ways as the town may find necessary in connection with the development and administration of such project. (Ord. 100 §4, 1980)

3.08.050 Improvements. In respect to any project the town further agrees that within a reasonable time after realization of a need to do so, it will:

A. Dedicate for public use all interior streets, roads, alleys, and adjacent sidewalks within the area of such project, together with all storm and sanitary sewer mains in such dedicated areas, after the town at its own expense, for which it will reimburse itself from project funds, but only to the extent such funds are available for such reimbursement, has completed the grading, improvement, paving, and installation thereof in accordance with town specifications; and

B. Dedicate for public use land for, and will grade, improve, pave and provide sidewalks for, all streets bounding such project or necessary to provide adequate access thereto, and will reimburse itself from project funds, but only to the extent such funds are available for such reimbursement, such amount as would be assessed against the project site for such work if such site were privately owned; and

C. Provide, or cause to be provided, water mains, and storm and sanitary sewer mains, leading to such project and serving the bounding streets thereof, and will reimburse itself from projects funds, but only to the extent such funds are available for such reimbursement, such amounts as would be assessed against the project for such work if such site were privately owned. (Ord. 100 §5, 1980)

3.08.060 Failure of town to furnish public services and facilities. If, by reason of the town's failure or refusal to furnish or cause to be furnished any public services or facilities which it has declared in this chapter it intends to furnish or to cause to be furnished to the project or to the tenants of any project, funds for such project are used to pay for any expense to obtain such services or facilities, then an amount equal to such expense shall be deducted from any payments in lieu of taxes due or to become due to the town in respect to such project or any other low rent housing projects owned or operated by the town. (Ord. 100 §1, 1980)

3.08.070 Cooperation ordinances. No cooperation ordinance heretofore adopted by the town shall be construed to apply to the projects covered by this ordinance. (Ord. 100 §1, 1980)

3.08.080 Obligation. So long as any contract between the town and the government for loans (including preliminary loans) or annual contributions, or both, in connection with the project remains in force and effect, or so long as any bonds issued in connection with the project or any moneys due to the government in connection with the project remain unpaid, this chapter shall not be abrogated, changed or modified without the consent of the government. The privileges and obligations of the town under this chapter shall remain in full force and effect with respect to the project so long as the beneficial title to such project is held by the town or by any other public body or governmental agency, including the government, authorized by law to engage in the development or administration of low rent housing projects. If at any time the beneficial title to, or possession of, the project is held by such other public body or governmental agency, including the government, the provisions of this chapter shall inure to the benefit of and may be enforced by such other public body or governmental agency, including the government. (Ord. 100 §8, 1980)

Chapter 3.12

ANNUAL BUDGET

Sections:

- 3.12.010 Makes Sections 15-2-201(a) and (d), WS (1980) inapplicable-- Expenditures limited by appropriations--Exceptions.
- 3.12.020 Budget amendments.

3.12.010 Makes Sections 15-2-201(a) and (d) WS (1980) Inapplicable-- Expenditures limited by appropriations--Exceptions. Section 15-2-201 (a) and (d), W.S. (1980), is made inapplicable to the town of Hanna, Wyoming. (Ord. 176 §1, 1983)

3.12.020 Budget amendments. At the request of the mayor, or upon its own motion, after five days publication of notice the town council may by resolution amend its annual budget at any time after its adoption;

- A. To include anticipated or unanticipated revenues or expenditures;
- B. To correct errors and omissions;
- C. To transfer any unencumbered or unexpended appropriation from one fund, department or account to another;
- D. To increase or decrease departmental expenditures;
- E. To increase or decrease the appropriation of any fund; or
- F. Any other matters which may insure fiscal responsibility.

(Ord. 176 §2, 1983)

Title 4

(Reserved)