

ORDINANCE NO. 1809

AN ORDINANCE ESTABLISHING A TAX ON PROPERTY TRANSFERS FOR PARK PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That there be added to the Code of Ordinances of the City of Grand Junction a Section 24.1 which shall read as follows:

CHAPTER 24.1

REAL PROPERTY TRANSFER TAX

24.1-1. Title.

This shall be known and cited as the "City Real Property Transfer Tax Ordinance".

24.1-2. Tax Levied.

From and after June 1, 1979, there is hereby levied and there shall be collected and paid a tax of 1/4 percent of the total value of all consideration given for the conveyance of title to real property and improvements thereon within the City of Grand Junction, including in the computation of such consideration any liens and encumbrances against the property.

24.1-3. Buyer to Collect.

The seller of the property shall pay such tax while the buyer shall be responsible for the collection of the tax and the remittance of the same to the city treasurer within fifteen (15) days after title is conveyed, using such forms of report as are supplied by the city treasurer.

24.1-4. Exemptions.

The tax imposed by this Ordinance shall not apply to transfers evidenced by the following instruments or documents:

(a) Any deed wherein the United States or any agency or instrumentality thereof or the State of Colorado or any political subdivision thereof is either the grantor or the grantee;

(b) Any deed granting or conveying title to real property in consequence of a gift of such property;

(c) Any public trustee's deed executed pursuant to the provisions of section 38-39-110, C.R.S. 1973;

(d) Any treasurer's deed executed in accordance with the provisions of Article 11 of this title;

(e) Any sheriff's deed;

(f) Any instrument which confirms or corrects a deed previously recorded;

(g) Any deed granting or conveying title to cemetery lots;

(h) Any document given to secure payment of a indebtedness;

(i) Any document granting or conveying a future interest in real property;

(j) Any decree or order of a court of record determining or vesting title;

(k) Any document necessary to transfer title to property as a result of the death of an owner thereof.

(l) Any mineral deed or royalty deed;

(m) Any rights-of-way and easements

24.1-5. Failure to Collect and Remit.

In case the buyer shall fail to collect and remit such tax, it shall be the duty of the city treasurer to ascertain the amount of such tax and to certify the amount to the county treasurer to be by him placed upon the tax list for the current year and to be collected, with ten percent penalty thereon to defray the cost of collection; and all of the laws of the State of Colorado for the collection of general taxes, including the laws for the sale of the property for taxes and the redemption thereof, shall apply to and have full effect for the collection of all such taxes.

24.1-6. Filing of a False Statement.

Any person filing a false statement hereunder shall be guilty of a misdemeanor, and, upon a conviction thereof, shall be subject to a fine of not more than Three Hundred Dollars (\$300.00) or imprisonment for a term not to exceed ninety (90) days or by both such fine and imprisonment.

24.1-7. Use of Proceeds.

The monies derived from the tax shall be used exclusively for the acquisition of parklands either within or without the City as the City Council may from time to time determine.

24.1-8. Severability.

The City Council hereby declares that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional, invalid or

unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

PASSED and ADOPTED this 4th day of April, 1979.

Karl M. Johnson

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1809, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 21st day of March, 1979, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6th day of April, 1979.

Neva B. Lockhart, CMC

Neva B. Lockhart
City Clerk

Published: March 23, 1979

Published: April 10, 1979

Effective: Repealed