

Fact Check #11

Is it a tax or a fee?

By Dr Bill Ullery.

Why politicians avoid the word "tax"

If it were up to politicians, few things would ever be called "taxes." The reason is simple...loose definitions such as "fees" deprives taxpayers normal avenues of corrective action.

Taxes produce revenue for government programs. And, Havasu's sewer system is a government program. Moreover, taxes like death are unavoidable. If you are connected to the sewer system, you must pay.

Because American dislike of taxes is so deeply rooted in our nation's politics, lawmakers often seek to raise revenue in ways to avoid the "tax hiker" label even if it requires calling an obvious tax a "fee." That's what's happening here.

These shell games undermine transparency by making it harder for citizens to understand the cost of government. More importantly, the politicians can delegate the setting of fees to their bureaucrats. Which is a big problem if citizens want to stop or change a fee.

Who has the power to set fees in Havasu?

Check the city website for [code](#) §3.20.030. *A. The City Manager is hereby authorized to adjust fees and charges by operating policies and procedures to implement the policies for percentage recovery of defined reasonable costs to provide the regulations, products or services outlined in §3.20.040.*

The city manager can raise your sewer fees! Heck, he can raise any and all of the other fees noted in that section of local code.

Why? Because, setting and adjusting fees is not a legislative act and voters can't directly interfere with such governmental administrative actions. That's why politicians like fees and avoid the "tax hiker" label even if it requires calling an obvious tax a "fee." That's what's happening here.

What rights do you have as a voter to cause a change in fees?

None! You can't vote on it! You can't stop it! You can't change it! You have no right of direct intervention!

For example, on September 11, 2013, the city in a letter to me, refused to accept my two initiative petitions for verification of signatures and refused to put the two measures

on the ballot; *“Firstly, the act to be initiated or referred for a vote of the people must be “legislative” in nature as defined in the court opinion in this area of law. Administrative, quasi-judicial or other matters of actions of a non-legislative nature that are or may be taken by local government, may not be passed under the power of the initiative or referred to the ballot by referendum. This holds true regardless of what may be the perceive importance of the matter or the level of public interest in the subject.”*

Do we have options?

You betcha! (I got that from a Sara Palin speech.) The elected officials must face the music sooner or later. In short, elections have consequences.

But, I also have a quarter century history here in Mohave County with attorneys and lawsuits in pressing local government on issues of corruption, malfeasance, and stupid stuff in general. Stay tuned...

Is this getting political? Nah...it's just Dr Bill being Bill. But, I must admit, I'm thinking about doing some really patriotic stuff!

Clearly, I need help with a *“stop the sewer fee tied to water usage”* project. Visit our Swap Meet booth (row G #22, center area), sign a petition, and join our group. To volunteer, please contact me: Email dbu@dbuhomes.com Web www.BillUllery.com Cell 928-716-3014.