BILL 2012-1

****** Full Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Mark S. Gaugh, Interim City Manager

DATE: January 3, 2012

RE: Ordinance – Sales Taxes on Utilities

Issues

We were contacted by the State Department of Revenue regarding the Transportation and Storm Water Sales taxes. They requested that we prepare an ordinance for imposing the sales taxes on our utilities, just as we do with the other taxes. Our attorney at Gilmore & Bell prepared the attached ordinance for your consideration. This ordinance will satisfy the State requirement.

Recommendation

Staff recommends that the Council enact the attached ordinance authorizing imposition of sales taxes on utilities.

BILL 2012-1

AN ORDINANCE IMPOSING THE CITY'S TRANSPORTATION AND STORM WATER CONTROL SALES TAXES ON DOMESTIC UTILITIES FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI

WHEREAS, the City Council of the City of Cameron, Clinton and DeKalb Counties, Missouri (the "City"), pursuant to Sections 94.700 through 94.755, RSMo, as amended, and voter-approval received at the November 8, 2011 election, has imposed a city sales tax for transportation purposes at the rate of one-half of one percent (1/2 of 1%) (the "Transportation Sales Tax"), on the receipts from all retail sales within the City which are subject to taxation under Sections 144.010 to 144.525, inclusive, RSMo, such sales tax to expire 10 years after its effective date; and

WHEREAS, the City Council of the City, pursuant to Section 644.032, RSMo, as amended, and voter-approval received at the November 8, 2011 election, has imposed a city sales tax for storm water control purposes at the rate of one-quarter of one percent (1/4 of 1%) (the "Storm Water Control Sales Tax"), on the receipts from all retail sales within the City which are subject to taxation under Sections 144.010 to 144.525, inclusive, RSMo, such sales tax to expire 20 years after its effective date; and

WHEREAS, Section 144.032 provides that the City may, by ordinance, impose local sales taxes upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. The City's Transportation Sales Tax and Storm Water Control Sales Tax shall be imposed upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only.

Section 2. The City Clerk shall, as soon as possible after approval of this ordinance, forward a certified copy hereof to the Director of Revenue of the State of Missouri. The sales taxes hereby imposed shall become effective on April 1, 2012, and shall expire on the date that is 10 years after the effective date of the sales tax.

Full reading

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Read two times, passed and approved this 3rd day of January 2012.

(SEAL) _____
Mayor Frank A. Buck

ATTEST:

_____
City Clerk

Full reading