

CITY OF HAMILTON, MISSOURI

BILL NO. 0509185

ORDINANCE NO. 1681

AN ORDINANCE OF THE CITY OF HAMILTON, MISSOURI, IMPOSING A USE TAX AT THE RATE OF TWO PERCENT (2%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 R.S.Mo.; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 7, 2018

WHEREAS, the City has imposed local sales taxes as defined in Section 32.085 R.S.Mo., at the rate of 2%; and

WHEREAS, the City is authorized under Section 144.757 R.S.Mo., to impose a local use tax at a rate equal to the rate of the local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal general, primary or special election.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the authority granted by, and subject to, the provisions of Section 144.600 through 144.761 R.S.Mo., a use tax for general revenue purposes is imposed for the privilege of storing, using or consuming within the City any article of tangible personal property. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this State until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

Section 2. The rate of the tax shall be two percent (2%). If any City sales tax is repealed or the rate thereof is reduced or raised by voter approval, the City use tax rate also shall be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the City sales tax.

Section 3. This tax shall be submitted to the qualified voters of Hamilton, Missouri, for their approval, as required by the provisions of Section 144.757 R.S.Mo., at the Primary Election hereby called and to be held in the City on Tuesday, the 7th day of August, 2018. The ballot submission shall contain the following language:

In an effort to eliminate the advantage enjoyed by out-of-state vendors over local vendors, shall the City of Hamilton impose a local use tax at the same rates as the local sales tax rate, as the local sales tax rate, currently two percent (2%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

YES

NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

Section 4. If adopted by the voters, the Board of Aldermen has dedicated the funds to be received to the following uses: STREET REPAIR/CONSTRUCTION

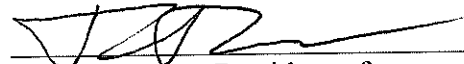
Section 5. Within ten (10) days after the approval of this ordinance by the qualified voters of Hamilton, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 6. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

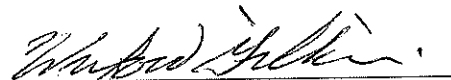
Section 7: The City Clerk shall notify the county election authority of the election date as required by law. This notification must be made no later than 5 p.m. on the tenth Tuesday prior to the election which is August 7, 2018.

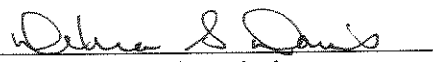
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen on the 9th day of May, 2018.


Travis Trosper, President of
Board of Aldermen

Approved this 9th day of May, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk