

AN ORDINANCE OF THE CITY OF FESTUS, MISSOURI, IMPOSING A SALES TAX FOR THE PURPOSE OF PROVIDING FUNDING FOR STORM WATER CONTROL AND LOCAL PARKS FOR THE MUNICIPALITY ON ALL RETAIL SALES MADE IN THE CITY OF FESTUS AT THE RATE OF 1/4 OF 1% ON THE RECEIPTS FROM THE SALE AT RETAIL OF ALL TANGIBLE PERSONAL PROPERTY OR TAXABLE SERVICES AT RETAIL WITHIN SAID CITY, IF SUCH PROPERTY AND SERVICES ARE SUBJECT TO TAXATION BY THE STATE OF MISSOURI UNDER THE PROVISIONS OF CHAPTER 144.010 TO 144.525, RSMO., AS AMENDED, AND CONDITIONALLY AMENDING THE MUNICIPAL TAX LEVIES FOR GENERAL AND SPECIAL REVENUE PURPOSES FROM \$0.72 ON EACH ONE HUNDRED DOLLARS ASSESSED VALUATION TO \$0.45 ON EACH ONE HUNDRED DOLLARS ASSESSED VALUATION, SAID AMENDMENT TO BECOME EFFECTIVE UPON THE APPROVAL OF THE ABOVE DESCRIBED CITY SALES TAX FOR STORM WATER CONTROL AND LOCAL PARKS BY A MAJORITY OF THE QUALIFIED VOTERS VOTING THEREON AT AN ELECTION TO BE HELD WITHIN THE CITY OF FESTUS, MISSOURI, PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTION 644.032, RSMO., 1995, AS AMENDED, SAID SALES TAX TO BECOME EFFECTIVE ON THE FIRST DAY OF THE SECOND QUARTER AFTER THE DIRECTOR OF REVENUE RECEIVES NOTICE OF ADOPTION OF THE TAX UPON APPROVAL OF THE ABOVE DESCRIBED CITY SALES TAX BY A MAJORITY OF THE QUALIFIED VOTERS VOTING THEREON AT AN ELECTION TO BE HELD WITHIN THE CITY OF FESTUS, MISSOURI, AND PROVIDING FOR SUBMISSION OF THIS ORDINANCE TO THE QUALIFIED VOTERS OF SAID CITY FOR THEIR APPROVAL AT AN ELECTION CALLED AND TO BE HELD IN SAID CITY ON THE 6TH DAY OF AUGUST, 1996.

WHEREAS, under the provisions of Section 644.032, RSMo. 1995 as amended. The cities of this State are empowered to impose by Ordinance, or Order, for the purpose of providing funding for storm water control and local parks for the municipality, on all sellers for the privilege in engaging in the business of selling tangible personal property or rendering taxable services at

retail, a sales tax not to exceed one-half (1/2) of one percent (1%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within said city adopting such tax, if such property and services are subject to taxation by the State of Missouri under the provisions of Chapter 144 of the Revised Statutes of Missouri 1995, as amended, and the City of Festus, Missouri, desires to avail itself of such authorization and within the terms thereof, and

WHEREAS, the Council of the City of Festus is of the opinion that the revenues generated for the City of Festus through the imposition of the above described sales tax for storm water control and local parks will be sufficient to permit the reduction of the Municipal Tax Levies for general and special revenue purposes from \$0.72 on each One Hundred Dollars assessed valuation to \$0.45 on each One Hundred Dollars assessed valuation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Festus, Missouri, as follows:

Section I: Imposition of City Sales Tax. Pursuant to the authority granted by and subject to the provisions of Section 644.032 RSMo. 1995, as amended, a tax for storm water control and local parks purposes is hereby imposed on all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the

extent said sales are subject to taxation under the provisions of Sections 144.010 to 144.525, RSMo., and the Rules and regulations of the Director of Revenue issued pursuant thereto. The rate of tax shall be one-fourth (1/4) of one percent (1%) on the receipts from sale at retail of all tangible personal property or taxable services at retail within the city limits of the City of Festus, Missouri, if such property and taxable services are subject to taxation by the State of Missouri under the provisions of Chapter 144.010 to 144.525, RSMo. The tax shall become effective as provided in sub-section 2 of Section 644.032, RSMo. 1995, as amended.

Section II: Provided the storm water control and local parks sales tax described in Section I hereinabove is approved by the qualified voters of the City of Festus, Missouri, as hereinafter provided, the Municipal Tax Levies for general and special revenue purposes shall be reduced from \$0.72 on each One Hundred Dollars assessed valuation to \$0.45 on each One Hundred Dollars assessed valuation.

Section III: Effective Date. This Ordinance shall be submitted to the qualified voters of the City of Festus, Missouri for their approval as required by the provisions of Section 644.032, RSMo. 1995, as amended, at a special election hereby called and to be held in said City of the 6th day of August, 1996. The ballot title will be:

SHALL THE ORDINANCE IMPOSING A STORM WATER CONTROL AND LOCAL PARKS SALES TAX AND REDUCING THE MUNICIPAL TAX LEVIES BE APPROVED?

For the Storm Water Control and Local Parks Sales Tax and the Reduction of the Municipal Tax Levies

Shall the City of Festus impose a sales tax of 1/4 of One percent (1%) on the receipts from sale at retail of all tangible personal property or taxable services at retail of all tangible personal property or taxable services at retail within the city limits of the City of Festus, Missouri, if such property and taxable services are subject to taxation by the State of Missouri under the provisions of Chapter 144.010 to 144.525, RSMo. 1995, as amended, for the purpose of providing funding for storm water control and local parks for the City of Festus; and upon the imposition of said sales tax there followed the reduction of the Municipal Tax Levies for general and special revenue purposes from \$0.72 on each \$100 assessed valuation to \$0.45 on each \$100 assessed valuation.

Against the Storm Water Control and Local Parks Sales Tax and the Reduction of the Municipal Tax Levies

The voter who desires to vote in favor of said Ordinance shall place a cross mark (X) in the square opposite the words "For the Storm Water Control and Local Parks Sales Tax and the Reduction of the Municipal Tax Levies." The voter who desires to vote against said Ordinance shall place a cross mark (X) in the square opposite the words "Against the Storm Water Control and Local Parks Sales Tax and the Reduction of the Municipal Tax Levies."

If the majority of the qualified voters voting at said election shall vote in favor of the approval of this Ordinance, then the same shall be binding and in full force and effect.

Section IV: Certification. Within ten (10) days after the approval of this Ordinance by the qualified voters of the City of Festus, 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 the certifications of the election returns, and accompanied by a map of the City clearly showing the boundaries thereof.

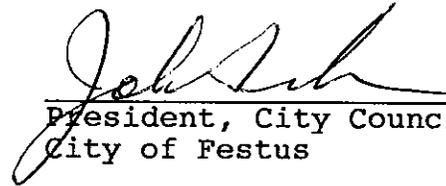
Section V: Severability. If any Section, Sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section VI: Emergency Clause. The City Council of the City of Festus, Missouri, hereby declares this Ordinance to be an emergency Ordinance in order to protect the health, safety and welfare of the citizens of the City of Festus, Missouri.

Section VII: Effective Date of Amendment of Municipal Tax Levies. The amendment of the Municipal Tax Levies shall become effective on the 1st day of the first calendar quarter after the Director of Revenue of the State of Missouri receives notice of the adoption of the storm water control and local parks sales tax as provided in Sub-section 2 of Section 644.032 RSMo. 1995, as amended.

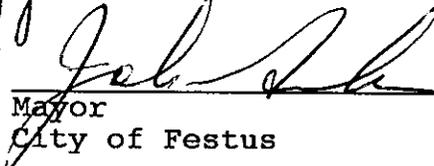
Section VIII: Effective Date: This Ordinance shall take effect and be in force from and after the date of its passage by the Council and approval by the Mayor, subject to voter approval as hereinabove set forth.

Read three times and passed this 22nd day of May, 1996.

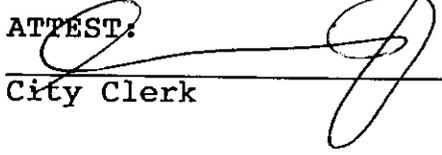


President, City Council
City of Festus

APPROVED this 22nd day of May, 1996.



Mayor
City of Festus

ATTEST:


City Clerk

AYES

NAYS

ADAM McCullough

None

RON HERRINGTON

CATHY JOKERST

SCOTT HARNESS

ROBERT CRUMP

KLINT OLDHAM

DOUG MILLER

ROBERT TUCKER