

ORDINANCE #65730
Board Bill No. 275

An Ordinance pertaining to the East Loop Parkview Gardens Business District, a special business district, established pursuant to the provisions of Sections 71.790 – 71.808 R.S.Mo; amending Ordinance 63634 by repealing Section One of such Ordinance which contains the boundaries of the District and enacting a new section pertaining to the same subject matter, and further enacting a new section levying an additional business license tax on the businesses within the district in an amount not to exceed fifty percent of the current business license tax; submitting such proposal to the voters of the district at an election to be held on April, 2003 and containing effectiveness, severability, savings and emergency clauses.

WHEREAS, the Board of Aldermen did on October 11, 2002 introduce Resolution No. 183 declaring its intention to amend the East Loop Parkview Gardens Business District which was established by Ordinance 63634 by enlarging the District to include all the real property within the area of the amended geographic boundaries of the District and to further propose an additional business license tax to be assessed within such District and calling for a public hearing on the matter; and

WHEREAS, a public hearing was held on November 1, 2002 by the Board of Aldermen; and

WHEREAS, on November 1, the Board of Aldermen adopted Resolution No. 183.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 63634 is hereby amended by repealing Section One and enacting in lieu thereof a new Section One to be and read as follows:

SECTION ONE. A Special Business District, to be known as the “East Loop Parkview Gardens Business District”, is hereby established for the area of the City described as follows:

Beginning at the point of the west line of Ruth Porter Mall (City Park) and the north line of a 15' wide east-west alley in City Block 4548; thence westwardly along said north alley line and its westward prolongation diagonally across Goodfellow Boulevard to its point of intersection with the north line of a 20' wide east-west alley in City Block 4543; thence westwardly along said north alley line and its westward prolongation diagonally across Hamilton Boulevard to its point of intersection with the north line of a 15' wide east-west alley in City Block 4542; thence westwardly along said north alley and its westward prolongation to its point of intersection with the northeastern right-of-way line of Metrolink; thence north-westwardly across the Metrolink right-of-way to a point of intersection of the northeastern right-of-way line of Metrolink and the north property line of property now, or formerly, owned by Bi-State Development Agency parcel number 48561301100; thence westwardly along said north property line and its westward prolongation to its point of intersection with the east line of Des Peres Avenue; thence north-westwardly along said east street line and its north-west prolongation to its point of intersection with the east line of Rosedale Avenue; thence north-westwardly along said east street line and its northwest prolongation to its point of intersection with the east line of Skinker Boulevard; thence north along the said east line to its point of intersection with the south line of Olive Street; thence westwardly along the said south street line to its point of intersection with the City Limits of the City of St. Louis; thence south-westwardly and southwardly along said City Limits to its point of intersection with the south line of a 15' wide alley in City Block 5408; thence eastwardly along said south alley line and its eastward prolongation across Skinker Boulevard to its point of intersection with the south line of a 15' wide east-west alley in City Block 5421; thence eastwardly along said south alley line and its eastward prolongation across Rosedale Avenue to its point of intersection with the south line of a 15' wide east-west alley in City Block 5422; thence eastwardly along the said south alley line and its eastward prolongation across Des Peres Avenue and the Metrolink right-of-way to its point of intersection with the south line of a 15' wide east-west alley in City Block 5512; thence eastwardly along said alley line and its eastward prolongation across DeGiverville Avenue to its point of intersection with the south line of a 15' east-west alley in City Block 5514; thence eastwardly along said alley line to its point of intersection with the south line of a 15' wide east-west alley in City Block 5515; thence eastwardly along said south alley line and its eastward prolongation parallel to Delmar Boulevard across Laurel Avenue and through City Block 5568 to its point of intersection with the west line of DeBaliviere Avenue(100" wide); thence northwardly along the west line of DeBaliviere Avenue and its northward prolongation across Delmar Boulevard to its point of intersection with the west line of the Ruth Porter Mall; thence northwardly along said west line of the Ruth Porter Mall and its northward prolongation across the 15' wide east-west alley in City Block 4548 to its point of intersection with the north line of said alley, the point of beginning.

SECTION TWO. Business License Taxes for the District shall be assessed and collected as follows:

A. For the purpose of paying for costs and expenses incurred in the establishment and operation of the District, the provision of services and facilities and improvements authorized in Ordinance 63634, and incidental to the leasing, construction, acquisition and maintenance of any improvements authorized herein or for paying principal and interest on bonds or notes authorized for the construction or acquisition of any said improvement, there may be imposed an additional tax upon all business licenses within the District which shall not exceed fifty percent (50%) of the business license tax assessed.

B. The tax provided for by this ordinance shall be collected by the Collector of Revenue and held in a special account to be used only for all purposes authorized hereunder, as provided by law.

C. If the District for any reason is dissolved, all delinquent taxes collected after the date of dissolution shall be credited and forwarded to the general fund of the City of St. Louis after all debts of the District, if any, are discharged.

SECTION THREE. Except as otherwise amended herein, all provisions of Ordinance No. 63634 shall remain in full force and effect.

SECTION FOUR. Effectiveness Clause.

A. Section One of this ordinance shall not be effective unless and until the following proposition, submitted to the qualified voters residing in the East Loop Parkview Gardens Business District at the City-wide election to be held on March 4, 2003, shall receive in its favor the votes of the majority of the qualified voters voting at said election for or against said proposition. Said proposition shall be in substantially the following form:

OFFICIAL BALLOT

PROPOSITION _____

Shall a tax of \$0.85 per \$100.00 valuation be imposed on all real property located in the East Loop Parkview Gardens Business District as established by Ordinance No. 63634 and as amended by Ordinance _____ (Board Bill #275) enlarging the boundaries thereof to include all areas of real property for the purposes set forth in said Ordinance No. 63634?

_____ YES

_____ NO

B. Section Two of this ordinance shall not be effective unless and until the following proposition, submitted to the qualified voters residing in the East Loop Parkview Gardens Business District at the City-wide election to be held on March 4, 2003, shall receive in its favor the votes of the majority of the qualified voters voting at said election for or against said proposition. Said proposition shall be in substantially the following form:

OFFICIAL BALLOT

PROPOSITION _____

Shall the East Loop Parkview Gardens Special Business District, as amended by Ordinance _____ (Board Bill # 275) be authorized to impose its business license tax on businesses and individuals doing business with the Special Business District in an amount not to exceed Fifty percent (50%) of the business license tax imposed by the City of St. Louis?

_____ YES

_____ NO

SECTION FIVE. Savings Clause. The repeal of any ordinance or section thereof by this ordinance shall not affect or impair any prosecution had or commenced in any case before such repeal takes effect; but every such prosecution had or commenced shall remain in full force and effect for all intents and purpose as if such ordinance or section thereof so repealed had remained in force. No offense committed and no penalty or forfeiture, either civilly or criminally incurred prior to the time when any such

ordinance or section thereof shall be repealed by this ordinance, shall be discharged or affected by such repeal or alteration; but prosecutions for such offenses, penalties, fines, or forfeitures shall be instituted and proceeded within all respects as if such prior ordinance or section thereof had not been repealed or altered.

SECTION SIX. Severability Clause. If any sentence, clause, section or any part of this ordinance is for any reason held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared to be the intent of the Board of Aldermen that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included herein.

SECTION SEVEN. Emergency Clause. This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

Approved: December 10, 2002