

ORDINANCE NUMBER 70184

1 **BOARD BILL No. #265 INTRODUCED BY: ALDERMAN STEPHEN**
2 **CONWAY, ALDERWOMAN CARA SPENCER, ALDERWOMAN DIONNE**
3 **FLOWERS, ALDERWOMAN TAMMIKA HUBBARD, ALDERWOMAN**
4 **CHRISTINE INGRASSIA, ALDERMAN JOHN COATAR, ALDERMAN JOSEPH**
5 **VOLLMER, ALDERMAN THOMAS VILLA, ALDERMAN LARRY**
6 **ARNOWITZ, ALDERWOMAN BETH MURPHY, ALDERWOMAN CAROL**
7 **HOWARD, ALDERWOMAN MEGAN GREEN, ALDERWOMAN DONNA**
8 **BARINGER, ALDERMAN ANTONIO FRENCH, ALDERMAN JEFFREY BOYD,**
9 **ALDERMAN JOSEPH VACCARO, ALDERMAN SCOTT OGILVIE,**
10 **ALDERMAN SHANE COHN, ALDERMAN FRANK WILLIAMSON,**
11 **ALDERMAN CHRIS CARTER, ALDERWOMAN LYDA KREWSON,**
12 **ALDERMAN KENNETH ORTMANN, PRESIDENT LEWIS REED,**
13 **ALDERWOMAN MARLENE DAVIS, ALDERWOMAN CHRISTINE**
14 **INGRASSIA**
15

16 An ordinance submitting to the qualified voters of the City of St. Louis, pursuant
17 to section 92.115 RSMo., the question whether to continue the earnings tax imposed by
18 the City of St. Louis for a period of five years; providing for an election and the manner
19 of voting thereat; providing that if such question shall receive the votes of a majority of
20 the voters voting thereon that such earnings tax shall continue; and containing a
21 severability clause and emergency clause.

22 **WHEREAS**, the City of St. Louis imposes an earnings tax (the “Earnings Tax”)
23 for general revenue purposes of one percent (1%) on certain salaries, wages,
24 commissions, other compensation and net profits pursuant to Section 92.110 et. seq.,
25 RSMo., Article I Section 4 of the Charter of the City of St. Louis, and Section 5.22.010
26 et. seq., St. Louis City Revised Code; and

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ALDERWOMAN CARA SPENCER, ALDERWOMAN DIONNE FLOWERS, ALDERWOMAN
TAMMIKA HUBBARD, ALDERWOMAN CHRISTINE INGRASSIA, ALDERMAN JOHN
COATAR, ALDERMAN JOSEPH VOLLMER, ALDERMAN THOMAS VILLA, ALDERMAN
LARRY ARNOWITZ, ALDERWOMAN BETH MURPHY, ALDERWOMAN CAROL HOWARD,
ALDERWOMAN MEGAN GREEN, ALDERWOMAN DONNA BARINGER, ALDERMAN
ANTONIO FRENCH, ALDERMAN JEFFREY BOYD, ALDERMAN JOSEPH VACCARO,
ALDERMAN SCOTT OGILVIE, ALDERMAN SHANE COHN, ALDERMAN FRANK
WILLIAMSON, ALDERMAN CHRIS CARTER, ALDERWOMAN LYDA KREWSON,
ALDERMAN KENNETH ORTMANN, PRESIDENT LEWIS REED, ALDERWOMAN
MARLENE DAVIS, ALDERWOMAN CHRISTINE INGRASSIA

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1 **WHEREAS**, a state-wide initiative petition (“Proposition A”) proposing statutory
2 amendments to Chapter 92, RSMo., relating to earnings taxes, was approved on
3 November 2, 2010 by a majority of Missouri voters; and

4 **WHEREAS**, Proposition A requires that starting in 2011, voters in any city
5 imposing an earnings tax will decide in local elections whether to continue the earnings
6 tax; and

7 **WHEREAS**, the City of St. Louis desires to submit to the voters of the City of St.
8 Louis the question of whether to continue the Earnings Tax in accordance with sections
9 92.105 to 92.125 RSMo., as amended by Proposition A.

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

11 **SECTION ONE.** The City of St. Louis, a constitutional charter city, imposes an
12 earnings tax (the “Earnings Tax”) for general revenue purposes of one percent (1%) on
13 certain salaries, wages, commissions, other compensation and net profits pursuant to
14 Section 92.110 et seq., RSMo., Article I Section 4 of the Charter of the City of St. Louis,
15 and Section 5.22.010 et. seq., St. Louis Revised Code. Pursuant to Section 92.115,
16 RSMo., the question whether to continue to impose and levy the earnings tax authorized
17 pursuant to Sections 92.110 to 92.200 RSMo. is hereby submitted to the qualified voters
18 of the City of St. Louis and shall be voted upon at an election to be held as hereinafter
19 provided.

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1 The question shall read exactly in the words and figures as follows:

2 Shall the earnings tax of 1%, imposed by the City of St. Louis, be
3 continued for a period of five (5) years commencing January 1
4 immediately following the date of this election?
5

6 **SECTION TWO.** The foregoing proposed question shall be submitted to the
7 qualified voters of the City of St. Louis at the general municipal election to be held on
8 Tuesday, the 5th of April, 2016, and if said proposed question shall receive in its favor the
9 votes of a majority of the qualified voters voting thereon, the proposal shall be adopted
10 and the Earnings Tax shall be continued. The qualified voters may, at such election, vote
11 a ballot in the following form:
12

13 **OFFICIAL BALLOT**

14 Instructions to voters:

15 To vote in favor of the proposition submitted upon this ballot,
16 place an "X" in the square opposite the word "Yes" and to vote
17 against any proposition submitted upon this ballot, place an "X" in
18 the square opposite the word "No."
19

20 The proposition shall appear on the ballot as follows:

21 Shall the earnings tax of 1%, imposed by the City of St. Louis, be
22 continued for a period of five (5) years commencing January 1
23 immediately following the date of this election?
24

25 _____ Yes _____ No
26

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1 **SECTION THREE.** The Board of Election Commissioners of the City of St.
2 Louis shall provide notice of such election, shall provide the ballots or voting machines,
3 or both, and conduct the election and shall ascertain and certify the result thereof, all
4 according to the laws regulating such elections. If voting machines are used, the
5 aforesaid "OFFICIAL BALLOT" shall be placed or posted on the said voting machines
6 wherever said machines are used under the direction of the Board of Election
7 Commissioners for the City of St. Louis and according to laws regulating such elections.

8 **SECTION FOUR.** Upon the approval of this Ordinance, it shall be published
9 once in the City Journal. Proof of the publication of this Ordinance shall be made by
10 affidavit of the City Register, and such affidavit shall be filed in the office of the City
11 Register and a copy of such publication shall be attached thereto.

12 **SECTION FIVE.** If any section, subsection, sentence, clause, phrase or portion
13 of this ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by
14 any court of competent jurisdiction, such portion shall be deemed and is hereby declared
15 to be a separate, distinct and independent provision of this ordinance, and such holding or
16 holdings shall not affect the validity of the remaining portions of this ordinance.

17 **SECTION SIX.** This being an ordinance calling for an election or vote by or
18 submission to the people of the City of St. Louis, it is hereby declared to be an
19 emergency measure and shall become effective immediately upon its passage and

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- 1 approval by the Mayor pursuant to Article IV Sections 19 and 20 of the Charter of the
- 2 City of St. Louis.

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