

St. Louis City Ordinance 62885

FLOOR SUBSTITUTE

BOARD BILL NO. [93] 06

INTRODUCED BY ALDERMAN DANIEL McGUIRE , and GERALDINE OSBORN

An ordinance under and by the authority of Section 94.577 R.S.Mo., imposing, subject to the approval of the voters, a one-half of one percent (1/2%) sales tax on all retail sales made in the City of St. Louis which are subject to the taxation under the provisions of Sections 144.010 to 144.525 R.S.Mo. for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, in addition to any and all other sales taxes allowed by law; submitting to the qualified voters of the City of St. Louis the question whether the City shall impose such a one-half of one percent (1/2%) sales tax for the purpose of funding capital improvements; providing that if such question shall receive the votes of a majority of the voters voting thereon that such tax shall be authorized and in effect as provided in Section 94.577 R.S.Mo.; incorporating by reference the provisions of Section 94.577 R.S.Mo.; providing that the tax imposed pursuant to the provisions of this ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 R.S.Mo.; providing for an election and the manner of voting thereat; providing for the allocation to specified purposes of the proceeds of such tax, and prohibiting use of any such proceeds for certain purposes; with a severability clause and an emergency clause.

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

SECTION ONE. Under and by the authority of Section 94.577 R.S.Mo., there is hereby imposed, subject, however, to the approval of the qualified voters as hereinafter provided, a sales tax of one-half percent (1/2%) in the City of St. Louis for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, in addition to any and all other sales tax allowed by law.

SECTION TWO. The following question is hereby submitted to the qualified voters of the City of St. Louis and shall be voted upon at an election to be held as hereinafter provided. The question shall read in words and figures as follows:

Shall the municipality of the City of St. Louis impose a sales tax of one-half of one percent (1/2%) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?

YES NO

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

SECTION THREE. The foregoing question shall be submitted the qualified voters at an election to be held on Tuesday, the third (3rd) day of August, 1993, and if the question shall receive in its favor the votes of a majority of the voters voting thereon, the tax shall be authorized and shall become effective as provided in Section 94.577 R.S.Mo. The qualified voters may, at such election, vote a ballot in substantially the following form:

Shall the municipality of the City of St. Louis impose a sales tax of one-half of one percent (1/2%) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?

YES NO

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

SECTION FOUR. The Board of Election Commissioners of the City of St. Louis shall provide the ballots or voting machines, or both, and conduct the election and shall ascertain the results thereof according to the laws regulating such elections. Upon approval of this ordinance, it shall be published once in the City Journal. Proof of publication of this ordinance shall be made by affidavit of the City Register and such affidavit shall be filed in the office of the City Register and a copy of said publication shall be attached thereto.

SECTION FIVE. The provisions of Section 94.577 R.S.Mo. are adopted and incorporated herein by reference as if fully set forth.

SECTION SIX. The tax imposed pursuant to the provisions of this ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 R.S.Mo.

SECTION SEVEN. As required by Section 94.577.7 R.S.Mo., none of the proceeds of the tax imposed pursuant to this ordinance shall be budgeted, appropriated, used or expended for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

SECTION EIGHT. Pursuant to Section 94.577 R.S.Mo and Chapter 5.35 of the Revised Code, all revenue received by the City from the tax authorized by this ordinance shall be deposited in a special trust fund, hereby created, to be known as the Capital Improvements Sales Tax Trust Fund, to consist of five accounts, namely, a Ward Capital Improvements Account, a Major Park Capital Improvements Account, a Recreation Center Capital Improvements Account, a Citywide Capital Improvement Accounts, and a Police Department Capital Improvements Account. All revenue of the Capital Improvements Sales Tax Trust Fund and all interest on such revenue shall be allocated and credited upon receipt as follows: 50% to the Ward Capital Improvements Account, 17% to the Major Park Capital Improvements Account, 3% to the Recreation Center Capital Improvements Account, 20% to the Citywide Capital Improvements Account, and 10% to the Police Department Capital Improvements Account. Revenue credited and allocated to the Ward Capital Improvement Account shall be credited and allocated in equal amounts to twenty-eight sub-accounts, one for each ward of the City. Revenue credited and allocated to the Major Park Capital Improvements Account shall be credited and allocated to six sub-accounts, one each for capital improvements in Carondelet, Fairgrounds, Forest, O'Fallon, Willmore, and Tower Grove Parks (the "Major Parks") in percentages of the revenue of the Major Park Capital Improvements Account for each such sub-account determined by dividing the acreage of each Major Park for which the sub-account is held by the total acreage of all the Major Parks.

SECTION NINE. No money credited and allocated to any account or sub-account within the Capital Improvements Sales Tax Trust Fund shall be transferred to any other fund nor appropriated, expended, used or encumbered for any purpose other than capital improvements as indicated by the name of the respective account or sub-account. Money in the Police Department Capital Improvements Account shall be used only to pay bonded debt incurred before the effective date of this ordinance, or amounts payable on financings concluded before the effective date of this ordinance, for capital projects of the Police Department. All monies from any account or sub-account within the Capital Improvements Sales Tax Trust Fund shall be expended only by

appropriating ordinances. There shall be an annual review by the Ways and Means Committee of the Board of Aldermen to monitor the distribution of all the Funds generated by the Capital Improvements Sales Tax Trust Fund.

SECTION TEN. If any provision of this Ordinance shall be held invalid, the remainder of this Ordinance, to the extent severable therefrom, shall not thereby be invalidated.

SECTION ELEVEN. This being an ordinance necessary for the preservation of the public peace, health and safety and providing for the submission of the question to the voters, it is hereby declared to be an emergency ordinance as provided by Article IV, Section 20 of the Charter of the City of St. Louis, and shall be effective immediately upon approval by the Mayor or its approval over his veto.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
04/30/93	04/30/93	LEG		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
05/21/93	05/28/93	05/28/93	05/28/93	06/04/93
ORDINANCE	VETOED		VETO OVR	
62885				