

1 **BOARD BILL NO. 61** **INTRODUCED BY ALDERMAN JOE VACCARO**

2 An ordinance submitting to the qualified voters of the City of St. Louis a
3 proposed amendment to the Revised Code of the City of St. Louis by repealing existing
4 Sections 8.02.120 of the Revised Code of the City of St. Louis and enacting a new
5 Section 8.02.120 of the Revised Code of the City of St. Louis relating to Penalty for
6 delinquent filing; providing for an election to be held therefore and the manner of voting
7 thereat; and containing an emergency clause.

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

9 **SECTION ONE.** The following amendment to the Revised Code of the City of
10 St. Louis is hereby proposed and submitted to the voters of the City of St. Louis and shall
11 be voted upon at an election to be held as hereinafter provided.

12 The said amendment is in words and figures as follows:

13 Section 8.02.120 of the Revised Code of the City of St. Louis relating to persons
14 who fail to take out the proper license or pay the license tax is hereby repealed, and
15 enacted in lieu thereof is a new Section 8.02.120 which shall be and read as follows:

16 **8.02.120 Violations and Enforcement:**

17 The License Collector shall report to the police all persons who fail to take out the
18 proper license or pay the license tax, and the police shall cause the arrest and conviction
19 of offenders. The collector is charged with the enforcement of the provisions of this
20 chapter and is empowered to adopt and promulgate and to enforce rules and regulations
21 relating to any matter or thing pertaining to the administration and enforcement of the
22 provisions of this chapter, including provisions for the reexamination and correction of

1 returns and payments alleged or found to be incorrect or as to which an overpayment or
2 underpayment is claimed or found to have occurred.

3 The Collector or any agent or employee authorized in writing by her is authorized
4 to examine the books, papers and records of any applicant, in order to verify the accuracy
5 of any application for a business license, to ascertain the tax imposed by this chapter.
6 Every business license applicant, is directed and required to give to the Collector or her
7 duly authorized agent or employee the means, facilities and opportunity for examinations
8 and investigations as are authorized. The Collector is authorized to examine any person
9 concerning any business asset which was or should have been reported for assessment
10 and to this end may order the production of books, papers and records and the attendance
11 of all persons before her, whether as parties or witnesses, whom she believes to have
12 knowledge of business assets.

13 The refusal of examination by any business license applicant shall be a violation
14 of this chapter. Any information obtained as a result of any application, investigation,
15 hearing or verification required or authorized by this chapter, shall be confidential except
16 for official purposes and except in accordance with judicial order. Any person otherwise
17 divulging such information shall, upon conviction thereof, be guilty of a misdemeanor
18 and shall be subject to a fine of not more than five hundred dollars or imprisonment for
19 not more than six months or both fine and imprisonment for each offense.

20 **SECTION TWO.** The foregoing proposed amendment to the Revised
21 Code of the City of St. Louis shall be submitted to the qualified voters of the City of St.
22 Louis at the next general election at which such proposal can legally considered and if
23 said proposed amendment shall receive in its favor the votes of three-fifths of the

1 qualified voters voting at such election for or against said proposed amendment such
2 amendment shall be adopted and become a part of the Revised Code of the City of St.
3 Louis from the date of said election. Qualified voters of the City of St. Louis may at the
4 election aforesaid vote a ballot substantially in the following form:

5

6 **OFFICIAL BALLOT**

7 Instructions to voters:

8 To vote in favor of the proposition submitted upon this ballot, place an "X" in the
9 square opposite the word "Yes" and to vote against any proposition submitted upon this
10 ballot, place an "X" in the square opposite the word "No."

11 The amendment shall appear on the ballot substantially, as follows:

12 Yes _____

13 No _____

14 Amendment to the Revised Code of the City of St. Louis

15 Proposition to amend the Revised Code of the City of St. Louis to eliminate the
16 maximum fine limit of 25% for such person, firm or corporation who fails to file a
17 statement, application or return with the License Collector or Comptroller of the City on
18 or before the 16th of July by repealing existing Section 8.06.090 of the Revised Code of
19 the City of St. Louis and enacting a new Section 8.06.090 of the Revised Code of the City
20 of St. Louis relating to Penalty for delinquent filing.

21 **SECTION THREE.** The Board of Election Commissioners shall provide the
22 ballots or voting machines or both and conduct the election and shall ascertain and certify
23 the result thereof according to the law.

May 15, 2015

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Sponsored by: Alderman Joe Vaccaro

1 If voting machines are used, the aforesaid "OFFICIAL BALLOT" shall be placed
2 or posted on the said voting machines wherever said machines are used under the
3 direction of the Board of Election Commissioners for the City of St. Louis and according
4 to law.

5 **SECTION FOUR.** Upon the approval of this Ordinance, it shall be published in
6 the City Journal, the official publication of the City of St. Louis, Missouri. Proof of the
7 publication of this Ordinance shall be made by affidavit of the City Register, and such
8 affidavit shall be filed in the office of the City Register and a copy of such publication
9 shall be attached thereto.

10 **SECTION FIVE.** This being an ordinance calling for an election for submission
11 to the people of an amendment to the Revised Code of the City of St. Louis, it is hereby
12 declared to be an emergency measure and shall become effective immediately upon its
13 passage and approval by the Mayor pursuant to Article IV Sections 19 and 20 of the
14 Charter.