COUNCIL BILL NO. 2018-508 ORDINANCE NO.

AN ORDINANCE of the City of Joplin, Missouri, imposing a use tax for general revenue purposes at the rate of two and five eighths percent ($2^{5/8}$%) for storing, using, or consuming within the City any article of tangible personal property pursuant to the authority granted by and subject to the provisions of Sections 144.600 through 144.761 RSMo; providing for the use tax to be repealed, reduced, or raised in the same amount as any city sales tax is repealed, reduced, or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the election called and to be held in the City on Tuesday August 7, 2018 and containing an emergency clause.

WHEREAS, the City has imposed local sales taxes, as defined in Section 32.085 RSMo, at the rate of $2^{5/8}$%; and

WHEREAS, the City is authorized, under Section 144.757 RSMo, to impose a local use tax at a rate equal to the rate of the local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal, county, or state general, primary, or special election;

WHEREAS, the Council of the City of Joplin, Missouri, has appointed a citizen committee to issue a recommendation regarding what action, if any, the Council should take on this issue, and the committee has recommended that the question be submitted to the voters; and

WHEREAS, it is deemed by the Council of the City of Joplin, Missouri, to be in the public interest to submit to the voters of the City of Joplin at an election to be held in the City on August 7, 2018, the question of whether or not the City shall extend a local use tax of $2^{5/8}$% for storing, using, or consuming within the City any article of tangible personal property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Pursuant to the authority granted by, and subject to, the provisions of Sections 144.600 through 144.761 RSMo, a use tax for general revenue purposes is imposed for storing, using, or consuming within the City any article of tangible personal property. This tax does not apply with respect to the storage, use, or consumption of any article of tangible personal property purchased, produced, or manufactured outside this state until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

Section 2. The rate of the tax shall be two and five eighths percent ($2^{5/8}$%). If any city sales tax is repealed or the rate thereof is reduced or raised by voter approval, the city use tax rate also shall be deemed to be repealed, reduced, or raised by the same action repealing, reducing, or raising the city sales tax.

Section 3. This tax shall be submitted to the qualified voters of Joplin, Missouri for their approval, as required by the provisions of Section 144.757 RSMo, at the election hereby called and to be held in the City on Tuesday August 7, 2018. The ballot of submission shall contain substantially the following language:

. . . . . .

OFFICIAL BALLOT

Election - Tuesday, August 7, 2018

PROPOSITION "A"

Shall the City of Joplin impose a local use tax at the same rate as the total local sales tax rate, currently two and five eighths percent ($2^{5/8}$%), provided that if any local sales tax is repealed, reduced, or raised by voter approval, the local use tax rate shall also be repealed, reduced, or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

Yes. ← —

No. ← —

Instructions to Voters

TO vote IN FAVOR OF the proposition, complete the arrow next to the word "YES".

TO vote AGAINST the proposition, complete the arrow next to the word "NO."

Section 4. Within ten (10) days after the approval of this ordinance by the qualified voters of Joplin, 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 certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. That this Ordinance, being an Ordinance submitting a proposition to the voters, is an emergency within the meaning of Section 2.12(2) of the Home Rule Charter of the City of Joplin, Missouri, and as such, this Ordinance shall become effective immediately from and after its adoption and approval.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2018, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney