

INTRODUCED BY: Alderman Newman

AN ORDINANCE CALLING FOR AN ELECTION IN THE CITY OF WARSON WOODS, MISSOURI, ON THE QUESTION OF WHETHER TO IMPOSE A SALES TX OF ONE-HALF OF ONE PERCENT ON ALL RETAIL SALES MADE IN THE CITY OF WARSON WOODS (1/2 CENT) FOR THE PURPOSE OF LOCAL PARKS AND STORM WATER CONTROL; DESIGNATING THE TIME OF HOLDING SAID ELECTION; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE OF SAID ELECTION, AND MATTERS RELATING THERETO.

WHEREAS, section 644.032 of the Revised Statutes of Missouri, as amended (hereinafter, "RSMo."), authorizes the governing body of any municipality or county to impose a one-half of one percent sales tax for the purpose of providing funding for local parks and storm water control, subject to the prior approval of the requisite majority of qualified voters of the any such municipality or county imposing the sales tax; and

WHEREAS, after giving notice pursuant to section 67.2725 RSMo., the Board of Aldermen of the City of Warson Woods has concluded it is necessary for the welfare of the City to impose a one-half of one percent sales tax for the purpose of providing funding for local parks and storm water control and to submit to the qualified voters of the City at the municipal election of August 5, 2014, a proposal to authorize the Board of Aldermen of the City to impose a one-half of one percent sales tax for the purpose of providing funding for local parks and storm water control for the City, all in accordance with sections 644.032-033 RSMo.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, AS FOLLOWS:

SECTION 1: Subject to the approval of the requisite majority of qualified voters of the City voting thereon, there is hereby imposed a one-half of one percent sales tax on all retail sales within the City of Warson Woods which are subject to taxation under the provisions of sections 144.010 to 144.525 RSMo., for the purpose of providing funding for local parks and storm water control within the City. The tax imposed hereunder shall be in addition to any and all other sales taxes allowed by law.

SECTION 2: Subject to the approval of the requisite majority of qualified voters of the City voting thereon, there is hereby established in the treasury of the City of Warson Woods a special trust fund designated for the local parks and storm water control sales tax into which shall be deposited all revenues received by the City from the tax authorized pursuant to provisions of section 644.032 RSMo., and this Ordinance, which revenues shall be used to provide funding for local parks and storm water control within the City and as further provided in section 644.032 RSMo. Any funds in the Special Trust Fund established pursuant to this section 2 which are not needed for current expenditures may be invested by the City in accordance with applicable laws relating to the investment of other municipal funds.

SECTION 3: The City Clerk is hereby authorized and directed to notify the Director of Revenue within ten (10) days after adoption or approval by the voters of the ordinance reflecting the effective date thereof and shall be accompanied by a map of the city clearly showing the boundaries thereof.

SECTION 4: The Board of Aldermen of the City of Warson Woods, Missouri hereby calls an election, after appropriate public notice and procedures prescribed by the St. Louis County Election Board on the following proposition of whether or not the one-half of one percent on all retail sales made in the City of Warson Woods (1/2 cent) for the purpose for storm water control and local parks shall be imposed.

SECTION 5: An election is hereby ordered to be held on Tuesday the 5th day of August, 2014, for the purpose of submitting to the qualified voters of the City of Warson Woods, Missouri, the question to determine whether or not the city should impose the one-half of one percent on all retail sales (1/2 cent) sales tax.

SECTION 6: The City Clerk is hereby authorized and directed to notify the St. Louis County Election Board of the passage of this Ordinance not later than 5:00 p.m. on Tuesday, May 27, 2014, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo.

SECTION 7: The ballots to be used at said election shall be in substantially the following form and submit to the qualified voters of the City of Warson Woods the following question:

**OFFICIAL BALLOT FOR THE MUNICIPAL ELECTION
IN THE CITY OF WARSON WOODS, MISSOURI
TUESDAY, AUGUST 5, 2014 FOR APPROVAL
OF THE VOTERS TO PROVIDE FOR
SALES TAX OF ONE-HALF CENT (1/2 CENT)
FOR THE PURPOSE OF STORM WATER AND LOCAL PARKS**

Instructions to voters:

To vote in favor of the question submitted on this ballot, place an (X) in the box opposite the words "YES", and to vote against the question submitted on this ballot, place an (x) in the box opposite "NO".

PROPOSITION: Shall the City of Warson Woods, Missouri, impose a sales tax of one-half of one percent on all retail sales made in the City of Warson Woods (1/2 cent) for the purpose of providing funding for storm water control and local parks for the municipality?

YES NO

SECTION 8: Notice of election on the question shall be published, and the election shall be conducted, in the manner provided by applicable law.

SECTION 9: The judges and clerks shall be the person designated by the St. Louis County Election Board for conducting the State and county elections to be held on the same day.

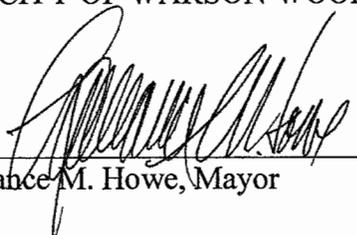
SECTION 10: The polling places for said election shall be as designated by the St. Louis County Election Board.

SECTION 11: The polls for said election shall be kept open from and between the hours of six o'clock a.m. and seven o'clock p.m. and the St. Louis County Election Board is hereby authorized and directed to cause to be printed ballots, as hereinbefore specified, and to prepare or procure the necessary poll books and tally sheets to be used at said election, and shall cause the same to be delivered to the judges of said election.

SECTION 12: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Board of Aldermen would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

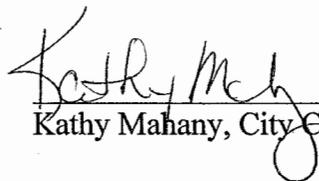
SECTION 13: Sections 4 through 13 of this Ordinance shall be in full force and effect from and after their passage and approval as provided by law. Sections 1, 2 and 3 of this Ordinance shall be effective upon certification of the approval of the requisite majority of qualified voters of the City voting thereon as provided by law.

PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI THIS 20th DAY OF MAY, 2014.



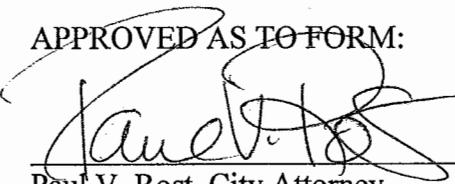
Laurance M. Howe, Mayor

ATTEST:



Kathy Mahany, City Clerk

APPROVED AS TO FORM:



Paul V. Rost, City Attorney