

A SAMPLE CITY USE TAX ORDINANCE
(This sample ordinance is to be considered only as a guide for local adoption)

VERSION "A"
For use by municipalities NOT in St. Louis County

BILL NO. _____

ORDINANCE NO. _____

An ordinance of the City of _____, Missouri, imposing a use tax for general revenue purposes at the rate of _____ percent (____%) for the privilege of 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granted by and subject to the provisions of Sections 144.600 through 144.761 RSMo; providing for the use tax to be repealed, reduced or raised in the same amount as any city sales tax is repealed, reduced or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the (Special) (General) (Primary) election called and to be held in the City on , _____ (Day) _____, 19____. (Date)

WHEREAS, the City has imposed local sales taxes, as defined in Section 32.085 RSMo, at the rate of _____%; 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;

NOW, THEREFORE, be it ordained by the (City Council) (Board of Aldermen) (Board of Trustees) of _____ (City), 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 the privilege of 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 _____ percent (____%). If any city sales tax is repealed or the rate thereof is reduced or raised by voter approval, the city use tax rate also shall be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the city sales tax.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 _____ (City), Missouri, for their approval, as required by the provisions of Section 144.757 RSMo, at the (Special) (General) (Primary) election hereby called and to be held in the City on _____ (Day of Week), the _____ day of _____, 19____. The ballot of submission shall contain substantially the following

language:

Shall the (county or municipality's name) impose a local use tax at the same rate as the local sales tax, currently at a rate of (insert percent) provided that, if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax also shall 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

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

Section 4. Within ten (10) days after the approval of this ordinance by the qualified voters of (City) , 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. This Ordinance shall be in full force and effect from and after the date of its passage and approval.