

BILL NO. 1632

ORDINANCE NO. 1267-23-02

FIRST READING: 12/15/2022

SECOND READING: 1/5/2023

**AN ORDINANCE PROVIDING FOR SUBMISSION OF A PROPOSAL
(PROPOSITION ONE) TO ALLOW THE CITY OF PALMYRA TO IMPOSE
A CITYWIDE SALES TAX ON ALL TANGIBLE PERSONAL PROPERTY
RETAIL SALES OF ADULT USE MARIJUANA TO THE QUALIFIED
VOTERS OF THE CITY FOR THEIR APPROVAL AT THE MUNICIPAL
ELECTION TO BE HELD ON TUESDAY, April 4, 2023**

WHEREAS, Article XIV, Section 2, 6.(5) of the Missouri Constitution, authorizes the governing body of a City to impose a citywide sales tax on all tangible personal property retail sales of adult use marijuana sold in such political subdivision; and

WHEREAS, Article XIV, Section 2, 6.(5) provides that the tax authorized by that section shall be in addition to any and all other sales tax allowed by law, except that no ordinance or order imposing a sales tax shall be effective unless the governing body of the City submits to the voters of the City, at a municipal election, a proposal to authorize the City Council to impose a tax; and

WHEREAS, the Palmyra City Council, has determined and does now find and determine that a ballot question shall be submitted to the voters of the City to authorize imposition of a citywide sales tax on all tangible personal property retail sales of adult use marijuana sold in the City of Palmyra; and

WHEREAS, the Palmyra City Council desires to submit a proposal in the form of a ballot question to the voters of the City of Palmyra at the Municipal election, to be held on Tuesday, April 4, 2023 authorizing the City of Palmyra, to impose a city sales tax of three percent (3%) pursuant to Article XIV, Section 2, 6.(5) of the Missouri Constitution; and

WHEREAS, in the event a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the City sales tax which is the subject of this Order shall be imposed and in force and effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALMYRA, AS FOLLOWS:

SECTION ONE: Pursuant to the provisions of Article XIV, Section 2, 6.(5) of the Missouri Constitution, the City Council has prepared a proposition for the imposition of a three percent (3%) city sales tax on all tangible personal property retail sales of adult use marijuana sold in the corporate limits of the City of Palmyra.

SECTION TWO: This proposition shall be submitted to the qualified voters of the City of Palmyra, Missouri, for their approval, at the election hereby called and to be held in the City of Palmyra on Tuesday, April 4, 2023. The ballot of submission shall contain substantially the following language:

**NOTICE OF MUNICIPAL ELECTION
CITY OF PALMYRA
MISSOURI**

Notice is hereby given that there will be a Municipal Election to be held in the City of Palmyra, Missouri, on:

Tuesday, the 4th day of April 2023

Proposition 1

Shall the City of Palmyra, Missouri impose a citywide sales tax of three percent (3%) on all tangible personal property retail sales of adult use marijuana sold in the City of Palmyra, Missouri?

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 THREE: If the ballot question set forth in Section (2) of this ordinance receives a majority of the votes cast in favor of the proposal, there shall thereafter be imposed within the confines of the corporate limits of the City of Palmyra, a three percent (3%) city sales tax on all tangible personal property retail sales of adult use marijuana sold in the corporate limits of the City of Palmyra.

SECTION FOUR: Within ten (10) days after the approval or disapproval of the proposition by the qualified voters of the City of Palmyra, 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 FIVE: JUDGES. The Election shall be conducted by several judges appointed to serve at the Election.

SECTION SIX: POLLING PLACES. The said polling places shall be open on the day of the Election at the hour of six o'clock, a.m. and shall remain open until the hour of seven o'clock p.m. on said date. That said Election shall be held and conducted and the results thereof shall be certified, canvassed and declared in all respects in conformity with the Constitution and laws of the State of Missouri governing elections in the City of Palmyra and in accordance with the Charter of the City of Palmyra.

SECTION SEVEN: The County Clerk is hereby authorized and directed to furnish the judges and clerks of said Election with all poll books, tally sheets, ballots, ballot boxes and other supplies necessary for the conduct of said Election.

SECTION EIGHT: That the City Clerk shall be and is hereby directed to transmit a certified copy of this Ordinance to the Registrars of the City of Palmyra and that said Registrars are hereby requested to take such action as may be required of them by law in the premises.

SECTION NINE: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Adopted this 5th day of January, ~~2022~~²⁰²³

Approved this 5th day of January, 2023.



Alan R. Adrian, Mayor

Deena Parsons, City Clerk