

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE IMPOSING A MARIJUANA SALES TAX AT THE RATE OF THREE PERCENT OF THE RECEIPTS FROM THE SALE AT RETAIL OF ADULT USE MARIJUANA WITHIN THE CITY OF INDEPENDENCE, MISSOURI, WHICH SHALL REMAIN IN EFFECT AT SAID RATE THEREAFTER UNTIL REPEALED, BY THE VOTERS OF THE CITY; CALLING FOR THE PROPOSITION ADOPTING SAID TAX TO BE PLACED ON THE BALLOT AT THE REGULARLY SCHEDULED ELECTION TO BE HELD APRIL 4, 2023; PROPOSING THE FORM OF THE BALLOTS AND DIRECTING THE CITY CLERK TO DO ALL THINGS CALLED FOR BY LAW IN CONNECTION WITH THE HOLDING OF SAID ELECTION.

WHEREAS, pursuant to Article III, Section 49 of the Missouri Constitution, the governing body of any local government is authorized to impose, by ordinance or order, an additional sales tax in an amount not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in such political subdivision; and,

WHEREAS, the City currently handles a high volume of code and other enforcement requests; and

WHEREAS, multiple City departments will have administrative responsibility related to marijuana regulation; and

WHEREAS, the City wishes to impose an additional sales tax to support these departments in establishing administrative support for marijuana regulation, code enforcement, neighborhood quality of life, and other related basic services; and

WHEREAS, Section 115.121.3 of the Missouri Revised Statutes provides that the “general municipal election day” is on the first Tuesday following the first Monday in April each year; and

WHEREAS, the next general municipal election day is April 4, 2023;

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

SECTION 1. This ballot question shall be submitted to the qualified voters of Independence, Missouri, for their approval, as required by the provisions of Section 115.121.3 RSMo, at the General Municipal Election hereby called and to be held on the 4th of April, 2023.

SECTION 2. The ballot of submission shall contain substantially the following language:

SAMPLE BALLOT
FOR SPECIAL ELECTION
IN THE CITY OF INDEPENDENCE, MISSOURI
ON TUESDAY, APRIL 4TH, 2023

“Shall the City of Independence, Missouri impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medical marijuana?”

INSTRUCTIONS TO VOTERS

Yes No

INSTRUCTIONS TO VOTERS

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

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED THIS _____ DAY OF _____, 2022, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager