

**BILL NO. 23-15**

**ORDINANCE NO.**

**AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF BUFFALO, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE ELECTION TO BE HELD ON AUGUST 8, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION.**

**WHEREAS**, this Bill No. \_\_\_ is introduced by Alderman [name];

**WHEREAS**, Article XIV, section 2.6(5) of the Missouri Constitution authorizes the governing body of a city to impose, by ordinance, 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 subject to approval by voters of the City of Buffalo, Missouri; 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 general, primary or special election, a proposal to authorize the governing body of the city to impose a tax; and

**WHEREAS**, the Board of Alderman has determined and does now find and determine that that a ballot question shall be submitted to the voters of the city to authorize imposition of a city sales tax on all tangible personal property retail sales of adult use marijuana sold in such political subdivision; and

**WHEREAS**, the Board of Alderman desire to submit a proposal in the form of a ballot question to the voters of the City of Buffalo, Missouri, at the election to be held on August 8, 2023, authorizing the Board of Alderman of the City of Buffalo, Missouri, 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 there on are in favor of the proposal, then the city sales tax which is the subject of this Ordinance shall be imposed and in force and effect.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF BUFFALO, MISSOURI AS FOLLOWS:**

1. Ordinance of the Board of Alderman – Adult Use Marijuana Sales Tax. The Board of Alderman hereby orders submission of the following ballot question to the voters of the City of Buffalo, Missouri, at the election, to be held on August 8, 2023, to authorize the Board of Alderman to impose a city sales tax at the rate of three percent on all tangible personal property retail sales of adult use marijuana sold in the City of Buffalo, Missouri, as authorized by and pursuant to

Article XIV, Section 2, 6.(5) of the Missouri Constitution, in addition to any and all other sales taxes allowed by law:

**CITY RECREATIONAL MARIJUANA SALES TAX**

“Shall the City of Buffalo, 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 Buffalo, Missouri?”

YES                       NO

If you are in favor of the question, plan an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

2. Notice of Election. The City Clerk is hereby directed to notify the County Clerk of Dallas County, Missouri, of the enactment of this Ordinance no later than 5:00 p.m. on Tuesday, May 30, 2023, in accordance with the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

3. Effective Date. This Ordinance shall become in full force and effect from and after its passage and approval. The sales tax imposed by this Ordinance shall not be effective unless approved by a majority of the votes cast by the qualified voters voting thereon at the election to be held on August 8, 2023, at which election a proposal to authorize the Board of Alderman of the City of Buffalo, Missouri, to impose the tax herein provided for shall be submitted to the voters of the City of Buffalo, Missouri.

First Reading: \_\_\_\_\_

Second Reading & Passage: \_\_\_\_\_

\_\_\_\_\_  
Mayor Brandon Kenall

ATTEST:

\_\_\_\_\_  
Martha Swearingin, City Clerk