

ORDINANCE 3143

AN ORDINANCE RENEWING, LEVYING AND ASSESSING AN EXCISE TAX OF ONE HALF OF ONE PERCENT (.50%) IN ADDITION TO PRESENT SALES TAXES UPON THE GROSS PROCEEDS OR GROSS RECEIPTS FROM ALL SALES TAXABLE UNDER THE STATE OF OKLAHOMA SALES TAX CODE AND INCLUDING ALL SALES TAXABLE UNDER THE SALES TAX ORDINANCES OF THE CITY OF ARDMORE INCLUDING BUT NOT LIMITED TO CERTAIN ENUMERATED SALES LISTED THEREIN; TAX TO BE IN ADDITION TO OTHER EXCISE TAX LEVIES; DEFINING USE AND TERM OF THE TAX; RATIFYING SUBSISTING STATE PERMITS; MAKING PROVISIONS CUMULATIVE; AUTHORIZING AMENDMENTS EXCEPT FOR RATE AND TERM; PROVIDING FOR ELECTION AND PROPOSITION; CALL FOR ELECTION; PROVIDING FOR SEVERABILITY; ESTABLISHING EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA:

NOW THEREFORE, the City of Ardmore Sales Tax Ordinance is adopted as follows:

SECTION 1

TAX RATE AND LEVY. There Is hereby renewed, assessed and levied a city excise tax of one half of one percent (.50%) upon the gross proceeds or gross receipts derived from all sales to any person taxable under the laws of the State of Oklahoma and all sales taxable under the sales tax ordinances of the City of Ardmore including but not limited to certain enumerated sales listed therein. The terms and provisions of said laws in the State of Oklahoma, where applicable and not in conflict, herewith, are incorporated herein by reference thereto,

SECTION 2

TAX ADDITIONAL TO ALL OTHER EXCISE TAXES, The excise tax levied pursuant to the provisions of Section 1 of this Ordinance shall be a renewal of the existing sales tax levy and in addition to any and all other excise taxes levied or assessed by the city or any other taxing authority.

SECTION 3

PURPOSES OF REVENUES; PROCEEDS.

LIMITED TERM TAX: The one-half percent (.50%) city excise tax will have a term beginning October 1, 2024, and ending September 30, 2034, when the tax will terminate. The proceeds of this limited term tax will be for water and wastewater Infrastructure, debt service payments, construction and rehabilitation of city owned streets, facilities, and police and fire capital needs.

SECTION 4

SUBSISTING STATE PERMITS. All valid subsisting permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purposes of this ordinance, hereby ratified and confirmed and adopted In lieu of any requirement for an additional city permit for the same purpose,

SECTION 5

PROVISIONS CUMULATIVE. The provisions of this ordinance shall be cumulative and in addition to any and all other taxing provisions of city ordinances.

SECTION 6

AMENDMENTS TO ARTICLE, The Governing Body Is authorized, by this ordinance, to make such administrative and technical changes or additions In method of administration and enforcement of this article as may be necessary or proper for efficiency and fairness, except that the tax rate and any limitation of time for collection of the tax herein shall not be changed without approval of the qualified electors of the city as proposed by law,

SECTION 7

ELECTION. The Mayor of the City of Ardmore is hereby authorized and directed to call a special election to be held in the City of Ardmore on the 14th day of February 2023, for the purpose of submitting to the registered voters of said city the following proposition:

PROPOSITION

SHALL ORDINANCE NO 3143 OF THE CITY OF ARDMORE, OKLHOMA, RENEWING, LEVYING AND ASSESSING AN EXCISE TAX OF ONE HALF OF ONE PERCENT (.50%) IN ADDITION TO PRESENT SALES TAXES ON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TO ANY PERSON TAXABLE UNDER THE SALES TAX LAW OF THE STATE OF OKLAHOMA AND INCLUDING ALL SALES TAXABLE UNDER THE SALES TAX ORDINANCES OF THE CITY OF ARDMORE INCLUDING BUT NOT LIMITED TO CERTAIN ENUMERATED SALES LISTED THEREIN; PROVIDING THAT THE ADDITIONAL SALES TAX WILL BE EXPENDED FOR THE FOLLOWING PURPOSES AND TERMS:

THE ONE HALF OF ONE PERCENT (.50%) SALES TAX SHALL BE A LIMITED TERM TAX AND SHALL BEGIN OCTOBER 1, 2024, AND END ON SEPTEMBER 30, 2034, WHEN THE LIMITED TERM TAX SHALL TERMINATE. THE SALES TAX SHALL BE USED FOR WATER AND WASTEWATER INFRASTRUCTURE, DEBT SERVICE PAYMENTS, THE CONSTRUCTION AND REHABILITATION OF CITY OWNED STREETS, FACILITIES, POLICE AND FIRE CAPITAL NEEDS; BE APPROVED?

SECTION 8

CALL FOR ELECTION. The call for said election shall be by resolution, signed by the Mayor and attested by the City Clerk setting forth the date of such election; the proposition to be voted on shall be substantially as set out in Section 7 of this ordinance; and that the returns of said election shall be made to and canvassed by the County Election Board, which shall certify the results of same to the Mayor and the City Commission through the City Clerk.

SECTION 9

PROVISIONS SEVERABLE. The provisions hereof are hereby declared to be severable, and if any section or paragraph, sentence or clause of this Ordinance is for any reason held invalid or inoperative by any court of competent Jurisdiction, such decision shall not affect any other section, paragraph, sentence or clause thereof.

SECTION 10

EFFECTIVE DATE. This Ordinance shall become effective on October 1, 2024, subject, however, to the approval of a majority of the registered voters of the City of Ardmore, Oklahoma, voting on the same in the manner prescribed by law.

SECTION 11

EMERGENCY CLAUSE. Whereas an emergency exists for the preservation of the public peace, health, safety and welfare, by reason whereof this Ordinance shall take effect immediately upon its passage and approval.

PASSED by the Board of Commissioners of the City of Ardmore, Oklahoma this 7th day of November, 2022.

SIGNED by the Mayor of the City of Ardmore, Oklahoma this 7th day of November, 2022 and the Emergency Clause ruled upon separately and approved this date.

CITY OF ARDMORE, OKLAHOMA

A Municipal Corporation

By: Douglas Pfau
Mayor

ATTEST: Lori Linney
City Clerk