

ORDINANCE 2013-2

AN ORDINANCE AMENDING ORDINANCE NO. 1986-4 ADOPTED ON FEBRUARY 3, 1986 AND AMENDED BY ORDINANCE NO. 1987-8 ADOPTED ON FEBRUARY 2, 1987 ESTABLISHING RATES FOR THE GROSS PROCEEDS TAXATION ON RENTORS, OR LESSORS OF AUTOMOTIVE VEHICLES, TRUCKS, TRAILERS, AND SEMI-TRAILERS.

Whereas, the City Council of the City of Eufaula has heretofore approved Ordinance No. 1986-4 as amended by Ordinance No. 1987-8, establishing lease or rental tax generally at a rate of 2% in the City of Eufaula, provided, however, that certain activities are taxed at lower rates.

Whereas, the City of Eufaula desires to participate in the Alabama Transportation Rehabilitation and Improvement Program (ATRIP) in order to fund certain road projects and its participation will require matching funds.

Whereas, The City Council has determined that it is in the best public interest of the City of Eufaula for the rate of certain lease and rental taxes to be increased from 2% to 3% so the City of Eufaula can provide the matching funds necessary to participate in the ATRIP program and continue to offer the same level of services to its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUFAULA, ALABAMA, AS FOLLOWS:

- I. Section 2 of Ordinance No. 1986-4 of the City of Eufaula which was adopted by the City Council and approved by the Mayor of the said city on February 3, 1986 and subsequently amended by Ordinance No. 1987-8 which was adopted and approved on February 2, 1987 is hereby amended so that the said Section 2 shall read in its entirety as follows:

"SECTION 2. Levied; rate

"There is hereby levied in addition to all privilege license taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against persons on account of the business activities and in the amounts to be determined by the application of rates against gross proceeds as follows:

"(1) Upon each person whose place of business is within the City engaging or continuing to engage in the business of leasing or renting tangible personal property within the City or outside the City, other than automotive vehicles, truck trailers, and semi-trailers, at the rate of three percent (3%) of the gross proceeds derived by the lessor

therefrom; provided that the privilege license tax levied in this article shall not apply to any leasing or rental, as lessor, by the United States of America, the State, or any municipality or county in the State.

"(2) Upon each person whose place of business is not within the corporate limits of the City but who engages in or continues in the business of leasing or renting tangible personal property used or to be used within the City, other than automotive vehicles, truck trailers, and semi-trailers, at the rate of three percent (3%) of the gross proceeds derived by the lessor therefrom the tangible personal property used or to be used within the city; provided that the privilege license tax levied in this article shall not apply to any leasing or rental, as lessor, by the United States of America, the State or any municipality or county in the State.

"(3) Upon each person whose place of business is within the City engaging or continuing to engage in the business of leasing or renting automotive vehicles, truck trailers, and semi-trailers, within the City or outside the City, at the rate of one and one half percent (1½%) of the gross proceeds derived by the lessor therefrom; provided that the privilege license tax levied in this article shall not apply to any leasing or rental, as lessor, by the United States of America, the State, or any municipality or county in the State.

"(4) Upon each person whose place of business is not within the corporate limits of the City but who engages in or continues in the business of leasing or renting automotive vehicles, truck trailers, and semi-trailers, used or to be used within the City at the rate of one and one half percent (1½%) of the gross proceeds derived by the lessor therefrom the tangible personal property used or to be used within the City; provided that the privilege license tax levied in this article shall not apply to any leasing or rental, as lessor, by the United States of America, the State or any municipality or county in the State."

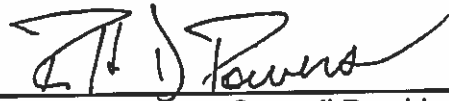
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- II. The provisions of this ordinance are severable. If any part of the ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

- III. All other provisions of Ordinances No. 1986-4 and No. 1987-8 shall remain in full force and effect. Any and all ordinances or parts thereof which conflict with this ordinance are hereby repealed.
- IV. This Ordinance shall become effective on the 1st day of July 2013, and the first payment of taxes hereunder shall be due and payable on the 20th day of August, 2013. This Ordinance shall remain in full force and effect and shall apply to each month of the year 2013, beginning with the month of July, and to each month of each calendar year thereafter from year to year.

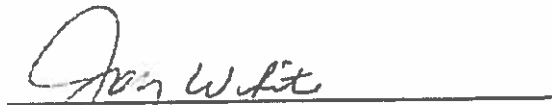
ADOPTED AND APPROVED this 21st day of May, 2013.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION



Robert D. Powers, Council President

ATTEST:



Joy White
City Clerk/Treasurer