

BILL NO. 2344

ORDINANCE NO. 2344

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 50 LICENSES AND BUSINESS REGULATIONS OF ARTICLE II TAXES AND LICENSES

WHEREAS, the City of Ladue passed Ordinance 432 on June 14th, 1952, providing for the licensing and the levy and collection of annual business license tax on merchants, manufacturers, and other occupations, and trades; and

WHEREAS, effective January 2023 following City Council approval, a number of changes occurred to Chapter 50 including an increase in price per square footage, minimum license fees, and late charge penalties; and

WHEREAS, city staff has conducted a review of our business licensing processes and desires to simplify the collection process for business owners by eliminating the tiered structure on merchant fees; and

WHEREAS, a copy of this bill has been made available for public inspection prior to its consideration by the Council and read by title two times in an open meeting prior to passage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Ladue hereby amends Article II Taxes and Licenses of the Municipal Code of the City of Ladue to read as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined

ARTICLE II. – Taxes and Licenses

Section 50-20 Declaration of Estimated Gross Receipts

It shall be the duty of every person engaged in the business of a merchant, a manufacturer or any of the occupations, trades or businesses specified in this article, to furnish by March 1 of each year to the city collector, a sworn declaration in writing on the form to be provided by the city collector showing the ~~estimated~~ aggregate amount of all gross receipts and sales which ~~will be were~~ made by him/her during the ~~then-current~~ previous calendar year. Any merchant, business, or occupation commencing operations or business in the city during any license year shall pay at the time of such commencement a license fee based on estimated gross receipts for the remainder of the calendar year.

Section 50-22 Amount of License Tax

The annual amount of license tax levied and payable under the provisions of this article shall be as follows:

- (1) A ~~base tax~~ minimum fee of \$100.00.
- (2) ~~On each \$1,000.00 of gross receipts or fraction thereof in excess of \$12,500.00 and not in excess of \$2,000,000.00, an additional \$1.00; plus, on each \$1,000.00 of gross receipts or fraction thereof in excess of \$2,000,000.00, an additional \$0.50; One dollar (\$1.00) for each one thousand dollars (\$1,000.00) or part thereof in gross receipts per year.~~
- (3) On each square foot of space occupied by the business, a tax per square foot of ~~an additional~~ \$0.20; provided, however, that the amount paid under the provisions of subsections (1) and (2) of this section shall be credited in computing the amount of tax due under this section.
- (4) A license tax shall be paid by banks, loan companies and savings and loan companies in the amount of \$5,000.00 per annum for each year or part thereof of business operation in the city.
- (5) A license tax shall be paid by building contractors, as herein defined, in the amount of \$25.00 per annum for each year, or part thereof, of business operation in the city, unless a different fee has been established by ordinance.

Section 50-23 Pro Rata Payment of Tax for New Business

Any new business, occupation, or trade subject to the provisions of this article shall pay the pro rata part of the base license tax, prorated on a quarterly basis to the nearest quarter of the first year during which such business, occupation, or trade is first begun in the city. The license fee for any license which is issued for a portion of a year shall be prorated by the Director of Finance, but such payment shall not be less than the minimum \$100.00 fee.

~~Section 50-36 Sales tax~~

- ~~(a) No sales tax holiday. The city hereby determines that it will prohibit the provisions of RSMo 144.049 from exempting sales of certain clothing, personal computers, certain computer software, and school supplies that occur within the boundaries of said city during the first Friday in August and ending at midnight on the Sunday following from local sales taxes.~~

SECTION 2. Those provisions or terms or definitions contained within the affected sections, and which are not specifically set forth are not amended or altered in any way and remain in full force and effect.

SECTION 3. If any clause, word, paragraph, section, or other part or portion of this ordinance is held to be invalid, illegal, or unconstitutional for any reason, the City Council hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

SECTION 4. In conformity with the provisions of said Code, the City Clerk shall notify all current license holders of the changes within thirty (30) days of passage.

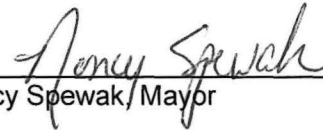
SECTION 5. This Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED THIS 21st DAY OF AUGUST 2023.



President, City Council

ADOPTED AND APPROVED THIS 21st DAY OF AUGUST 2023.



Nancy Spewak, Mayor

ATTEST:



Stacey Mann, City Clerk