

ORDINANCE NO. 990314, AS AMENDED

Providing for submission to the qualified voters of the City for their approval at a special election called for Tuesday, August 3, 1999, of the authorization to increase the convention and tourism tax of Chapter 68, Code of Ordinances; authorizing and directing the City Clerk to notify the responsible election authorities of this election; authorizing and directing the City Clerk to notify the Missouri Director of Revenue if the proposal is approved by the voters; and recognizing this ordinance to be an emergency measure.

WHEREAS, the General Assembly of the State of Missouri has adopted Senate Committee Substitute for House Bill 35 allowing the City to submit to its citizens an increase of up to one percent on the tax on hotels, motels and tourist courts within the City for convention and tourism purposes; and

WHEREAS, Senate Committee Substitute for House Bill 35 will become effective August 28, 1999, if signed by the Governor on or before July 14, 1999; and

WHEREAS, election requirements generally mandate a notice to election authorities no less than 10 weeks before the election being called; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Special election called. A special election is called and shall be held on Tuesday, August 3, 1999, at which election the question of authorizing an increase of 1% in the convention and tourism tax shall be submitted to the qualified voters of the City for their consideration, as required by Section 92.332, RSMo.

Section 2. Ballot title. The ballot title shall be:

QUESTION _____

SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City be authorized to increase the convention and tourism tax from 5 1/2% to 6 1/2% on the amount of sales or charges for all rooms paid by the transient guests of hotels, motels and tourist courts after August 28, 1999, the effective date of Senate Committee Substitute for House Bill 35 passed by the First Regular Session of the 90th General Assembly of the State of Missouri?

YES

NO

The voter who desires to vote in favor of this proposition shall place an "X" in the box opposite "Yes." The voter who desires to vote against this proposition shall place an "X" in the box opposite "No."

Section 3. Delivery of Ordinance by City Clerk to Election Authorities. That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of

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Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit these amendments to the electors of Kansas City as herein provided and to give public notice thereof as provided by law within one business day of the effective date of this ordinance.

Section 4. Election Notice. That the notice of election shall read as follows:

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NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, August 3, 1999, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY
ELECTION August 3, 1999

QUESTION _____

Shall the City of Kansas City be authorized to increase the convention and tourism tax from 5 1/2% to 6 1/2% on the amount of sales or charges for all rooms paid by the transient guests of hotels, motels and tourist courts after August 28, 1999, the effective date of Senate Committee Substitute for House Bill 35 passed by the First Regular Session of the 90th General Assembly of the State of Missouri?

YES

NO

[Instructions to voters will be supplied by the election authorities]

A full and complete copy of Ordinance No. 990314, As Amended, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where the same is open for inspection and copying.

The polling places for the election will be *[insert list of polling places in last*

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publication only].

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I hereby certify that the foregoing is the legal notice to be published pursuant to Section 67.1578, RSMo.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of May, 1999.

(SEAL)

CATHERINE T. ROCHA
City Clerk, City of Kansas City, Missouri

Before me, a notary public, personally appeared Catherine T. Rocha, to me known to be the City Clerk of the City of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My commission expires:

Section 5. Emergency. That this ordinance provides for the submission of a proposal to the people of Kansas City, Missouri, and is hereby recognized to be an emergency measure within the meaning of Section 15, Article II, of the Charter of Kansas City, and as such shall become effective upon approval by the Mayor or after five days of its passage, whichever is earlier.

Section 6. Effect of invalidity. This ordinance presents an amendment to the convention and tourism tax, and not a replacement. It is intended to place before the voters the question of increasing the tax, not either eliminating or increasing the tax. It is the intention of the Mayor and Council that should the 1% increase in the hotel/motel tax be found to be unlawful, the current provisions will remain in effect.

Section 7. Notice to the Missouri Director of Revenue by the City Clerk. If approved by the voters, the City Clerk shall, within 10 days after the approval, forward to the Missouri Director of Revenue by United States registered or certified mail, a certified copy of this ordinance together with certifications of the election returns accompanied by a map of the City clearly showing its boundaries.

Approved as to form and legality:

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City Attorney