

ORDINANCE 416

AN ORDINANCE AMENDING ORDINANCE NO. 59, KNOWN AS THE "STILWELL SALES TAX ORDINANCE," SECTION 5, AND ORDINANCE NO. 76, SECTION 2, BY INCREASING THE TAX FROM THREE AND ONE-HALF PER CENT (3.5%) TO 3 AND THREE-QUARTER PER CENT OF WHICH THREE-QUARTER PER CENT (0.75%) SHALL BE USED EXCLUSIVELY IN A CAPITAL IMPROVEMENT FUND, PURSUANT TO 11 O.S., 1981, SECTION 17-109 ET SEQ., AS APPROVED BY A VOTE OF THE PEOPLE ON APRIL 6, 2021.

WHEREAS, the ability of the City of Stilwell to maintain and improve the facilities and projects for the betterment of both the citizens of Stilwell and municipal employees is of paramount importance; and

WHEREAS, it is the opinion of this Council that adequate income is essential for the efficient and effective fulfillment of the purpose stated above, and

WHEREAS, the increase in Sales Tax has been approved by a vote of the people on April 6, 2021, as required by law:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

SECTION 1. CITATION AND CODIFICATION.

This Ordinance shall be known and may be cited as "Third Amendment to Stilwell Sales Tax Ordinance Rate" and shall be codified by changing the language of Section 5 of Ordinance No. 59, Section 2 of Ordinance 76, and Section 2 of Ordinance 202 of the General Ordinances of Stilwell.

SECTION 2. RATE

Ordinance No. 59, Ordinance 76, and Ordinance 202 are hereby amended to change the tax rate in Section 5 of Ordinance 59, Section 2 of Ordinance 76, and Section 2 of Ordinance 202 from the present Excise Tax of three and one-half per cent (3.5%) (amended by Ordinance 76 and Ordinance 202) to three and three-quarter per cent (3.75%) of which three-quarter per cent (0.75%) shall be used exclusively in a capital improvement fund upon the gross proceeds or gross receipts derived from all sales taxable under the Sales Tax Law of Oklahoma.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall become and be effective on and after October 1, 2021, as set by Oklahoma State Law, as approved by a majority of the registered voters of Stilwell on April 6, 2021, having voted on same in the manner prescribed by 11 O.S., 1961, Section 61.

SECTION 4. PROVISIONS CUMULATIVE.

The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of City ordinances.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are severable and, if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

PASSED by the City Council this 3rd day of May, 2021.

APPROVED by the Mayor this 3rd day of May, 2021.

ATTEST:

Jean Ann Wright, Mayor

Larry A, Nettles, City Clerk-Treasurer