

BILL NO. 23-188

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CAPE GIRARDEAU, MISSOURI, INCREASING ITS AD VALOREM TAX FOR MUNICIPAL PURPOSES TO A RATE OF \$0.56 PER \$100.00 IN ASSESSED VALUATION; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION

WHEREAS, the City of Cape Girardeau, Missouri (the "City") is authorized by Section 94.400 RSMo., and Article X, Section 11(b) of the Missouri Constitution to levy an ad valorem tax for municipal purposes at a rate of up to \$1.00 per \$100.00 in assessed valuation as provided in Section 94.400 RSMo.; and

WHEREAS, the City's ad valorem tax rate for municipal purposes for 2023 is \$0.3042 per \$100.00 in assessed valuation; and

WHEREAS, the City Council finds that it is the best interests of the City to increase the levy for this ad valorem property tax by a rate of \$0.25 per \$100.00 in assessed valuation and seeks to earmark the revenue generated from such increase for the specific purpose of utilizing such tax funds for public safety purposes; and

WHEREAS, the City Council calls for this item to be placed on the ballot at the April 2, 2024 General Municipal Election for a vote of the qualified voters of the City; and

WHEREAS, the proposed increase in the rate of this ad valorem tax cannot become effective until approved by the qualified voters of the City; and

WHEREAS, if said ballot measure is approved, the City's combined total ad valorem tax rate for all purposes (the "Total City Property Tax Rate") would be \$0.6173, which would consist of the City's health rate of \$0.0573 (as certified in 2023) plus the general municipal rate of \$0.56 (per the ballot measure), with such rate being subject to future adjustments as calculated by the State Auditor as provided by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. After passage of this ordinance and the favorable vote of a majority of votes cast on the proposal by the qualified voters of the City voting thereon, and pursuant to the authority in Section 94.400 RSMo., the rate of the City's ad valorem tax for

municipal purposes shall be increased to the rate of \$0.56 per \$100.00 in assessed valuation, with the increased rate to be imposed on all subjects and objects of ad valorem taxation within the City, if such property is subject to taxation under the Missouri Constitution, Article X.

ARTICLE 2. The Ad Valorem Tax shall be submitted to the qualified voters of the City for their approval, as required by the provisions of Section 94.400 RSMo., at the General Municipal Election hereby called and to be held in the City on Tuesday, April 2, 2024. The ballot question shall contain substantially the following language:

The maximum tax levy rate permitted by state statute for general municipal purposes, which includes public safety expenditures, is \$1.00 on one hundred dollars valuation. Shall there be an increase in the tax levy for general municipal purposes to the rate of \$0.56 on one hundred dollars valuation in the City of Cape Girardeau, Missouri? The City's existing tax levy for public health purposes would be unaffected.

☐ Yes

☐ No

ARTICLE 3. The City Clerk is hereby authorized and directed to notify the Cape Girardeau County Clerk (the "Election Authority") of the adoption of this ordinance no later than 5:00 P.M. on the tenth Tuesday prior to the election or such other date as required by the Election Authority or by law, and to include in said notification all the terms and provisions required by Chapter 115 RSMo., and to take such other steps as may be required so that an election may be lawfully conducted. The form of the Notice of Election for said election, a copy of which is attached hereto as Exhibit A and incorporated as if fully set out herein, is hereby approved. The Election Authority shall conduct such election according to law and certify the results thereof.

ARTICLE 4. Said election shall be held at such places in such wards and precincts as the Election Authority may direct, and shall follow the procedures prescribed by said Election Authority. The election shall be held in conformity with the Missouri Constitution and the laws of the State of Missouri, and in accordance with all applicable ordinances adopted by the City Council of the City.

ARTICLE 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid

or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE 6. This ordinance will be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



Exhibit A

**NOTICE OF GENERAL ELECTION
CITY OF CAPE GIRARDEAU, MISSOURI**

Notice is hereby given to the qualified voters of the City of Cape Girardeau, Missouri that the City Council has called an election to be held in said City on Tuesday, April 2, 2024, commencing at 6:00 A.M. and closing at 7:00 P.M. on the question contained in the following sample ballot.

**OFFICIAL BALLOT
GENERAL ELECTION
CITY OF CAPE GIRARDEAU, MISSOURI
APRIL 2, 2024**

The maximum tax levy rate permitted by state statute for general municipal purposes, which includes public safety expenditures, is \$1.00 on one hundred dollars valuation. Shall there be an increase in the tax levy for general municipal purposes to the rate of \$0.56 on one hundred dollars valuation in the City of Cape Girardeau, Missouri? The City's existing tax levy for public health purposes would be unaffected.

☐ **Yes**

☐ **No**

If you are in favor of the question, place an "X" in the box opposite "Yes".

If you are opposed to the question, place an "X" in the box opposite "No".