

ORDINANCE NO. 976

**AN ORDINANCE AMENDING ORDINANCE 620 (CODE SECTION 3-2-7), AS AMENDED, PROVIDING FOR THE REALLOCATION OF THE REVENUES COLLECTED; CREATING A FUND AMOUNT AND PROVIDING FOR THE PURPOSE THEREOF; PROVIDING AN EFFECTIVE DATE; PROVIDING THAT PROVISIONS ARE CUMULATIVE; AND, PROVIDING FOR SEVERABILITY.**

WHEREAS, Ordinance 620 establishes an Excise Tax of Three percent (3%) upon gross receipts of all sales taxable under the Oklahoma Tax Code;

WHEREAS, Ordinance 620 restricts the use of One Third (1/3) of the Three percent (3%) tax to Capital Improvement Projects, including the payment of indebtedness;

WHEREAS, the Council believes it reasonable and in the best interest of the City to amend the Code to reallocate a portion of the One percent (1%) excise tax to the general fund;

NOW THEREFORE, be it ordained by the City Council of the City of Clinton, Oklahoma:

Section 1. Ordinance 620 (Code Section 3-2-7) shall be amended to read as follows:

A. Original Tax:

1. There is hereby levied an excise tax of three percent (3%) upon the gross receipts derived from all sales taxable under the Oklahoma sales tax code. All other provisions of this chapter to the contrary notwithstanding, such tax is also levied on all sales of natural or artificial gas and electricity.
2. The revenues provided to the city by the city sales tax shall be for the following declared purposes:
  - a. Two-thirds (2/3) of the revenues shall be devoted to the support of the functions of the municipal government of the city.
  - b. The other One Third (1/3) of the revenues shall be allocated as follows, for each fiscal year:
    - i. The first Three Hundred Thousand Dollars (\$300,000.00) of the revenues produced shall be paid into the general fund to the support the functions of the municipal government;
    - ii. The next One Million Dollars (\$1,000,000.00) shall be paid into a fund created for the making of Capital Improvements of the City, including the making of payments of principal and interest on any indebtedness incurred by the City for Capital Improvement Projects;
    - iii. Any additional amounts shall be paid into the general fund to the support of the functions of the municipal government.

Section. 2. This Ordinance shall become and be effective on or after \_\_\_\_\_, 2017, and only after approval by a majority of the qualified electors of the City of Clinton, Oklahoma, voting on the proposition of approving the same in the manner prescribed by law.

Section 3. The provisions shall be cumulative, and in addition to any and all other taxing provisions of City Ordinances.

Section 4. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by a court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa Anders, City Clerk