

ORDINANCE # 220

AN ORDINANCE LEVYING A LICENSE TAX TO BE PAID BY PERSONS, FIRMS, OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY AND POWER, OR TELEPHONE SERVICE, FOR COMPENSATION FOR ANY PURPOSE IN THE CITY OF ST. MARY, MISSOURI, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH AND FIXING THE TIME WHEN SAID ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, MISSOURI, AS FOLLOWS:

Section 1. The word "person" when used in this ordinance shall include any individual, firm, co-partnership, joint adventure, association, corporation, estate, business trust, trustee, receiver, syndicate, or any other group or combination acting as a unit, in the plural as well as the singular number.

Section 2. Every person now or hereafter engaged in the business of supplying electricity, or telephone service for compensation for any purpose in the City of St. Mary, Missouri, shall pay to the City of St. Mary, Missouri, as a license tax, a sum equal to five per cent (5%) of the gross receipts from such business.

Section 3. It is hereby made the duty of every person engaged in any of the Businesses described in the foregoing section hereof to file with the Clerk of the City of St. Mary, Missouri, on the 15th day of July, 1947, a sworn statement of the gross receipts of such person from such business from the 1st day of January, 1947, to the 1st day of July and January of each year, a sworn statement of the gross receipts from such business for the six calendar months preceding the filing of such statement. The Clerk of the City of St. Mary, Missouri, or his duly authorized deputy shall be and is hereby authorized to investigate the correctness and accuracy of the statement required and for that purpose shall have access at all reasonable times to the books, documents, papers and records of any person making such statement in order to ascertain the accuracy thereof.

Section 4. Every person now or hereafter engaged in any of the businesses described in Section 2 hereof shall pay to the City Collector of the City of St. Mary, Missouri, on the 20th day of July, 1947, and on the 20th day of January and July of each year thereafter an amount equal to five per cent of said persons gross receipts from said business for the preceding six calendar months.

Section 5. The tax herein required to be paid shall be in lieu of any other occupation tax required of any person engaged in any of the businesses described in Section 2 hereof, but nothing herein contained shall be so construed as to exempt any such person from the payment to the City of St. Mary, Missouri, of the tax which the City of St. Mary, Missouri levies upon the real or personal property belonging to any such person, nor the tax required of merchants or manufacturers for the sale of anything other than electricity or telephone service nor shall the tax herein required exempt any such person from the payment of any other tax which may be lawfully required other than an occupation tax on any of the businesses described in Section 2.

Section 6. Any person engaged in any of the businesses described in Section 2 who shall violate any of the provisions of the foregoing ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars. Each day's violation of this ordinance shall constitute a separate offence.

Section 7. If any section or sections, or part thereof, of this ordinance shall be held invalid for any reason the invalidity of such section or sections, or part thereof,

shall not impair the validity of the remaining section, sections, or part of this ordinance, the Board of Aldermen hereby declaring that it would have passed the remaining portion of this ordinance had it known any section, sections, or part thereof would be held invalid.

Section 8. All ordinances or parts of ordinances in conflict with this ordinance are repealed in so far as they are in conflict with this ordinance.

Section 9. This ordinance shall take effect and be in full force from and after the 1st of January, 1947.

Passed by the Board of Aldermen of the City of St. Mary, Missouri, and approved by the Mayor thereof, this 6th day of November, 1946.

Bernard Jantzen
PRESIDENT, BOARD OF ALDERMEN

APPROVED:

L. E. DeLassus MAYOR

ATTEST:

Gilbert J. Brewer CITY CLERK

Henry J. Lusk
Geo. Blank
Wm. W. Walters