

AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF NON-MEDICAL ADULT USE MARIJUANA SOLD WITHIN THE CITY OF GLADSTONE, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION.

WHEREAS, on November 8, 2022, the electors of the State of Missouri approved Amendment 3 to the Missouri Constitution enacting Section 2 of the Article XIV of the Missouri Constitution effective December 8, 2022; and

WHEREAS, the newly enacted Article XIV, section 2.6(5) of the Missouri Constitution authorizes the City of Gladstone, Missouri to impose, by ordinance, an additional sales tax in an amount not to exceed three percent on all tangible personal property retail sales of non-medical adult use marijuana sold in such political subdivision subject to approval by voters of the City of Gladstone, Missouri; and

WHEREAS, the City Council finds that it is in the best interests of the citizens of the City of Gladstone, Missouri to impose a sales tax of all tangible personal property retail sales of non-medical adult use marijuana sold in the City of Gladstone, Missouri, and to submit the same to the voters of the City for approval by a majority of those voting at the general municipal election to be held on April 4, 2023; and

WHEREAS, the City desires to impose an additional sales tax to support the provision of emergency services.

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

SECTION 1- CITY SALES TAX- A sales tax at the rate of three percent on all tangible personal property retail sales of non-medical adult use marijuana sold in the City of Gladstone, Missouri, as authorized by Article XIV, section 2.6(5) of the Missouri Constitution, is hereby imposed.

SECTION 2- EFFECTIVE DATE- The sales tax imposed by this Ordinance shall not be effective unless approved by a majority of the votes cast by the qualified voters voting thereon at the General Municipal Election to be held on April 4, 2023, at which election a proposal to authorize the City Council of the City of Gladstone, Missouri to impose the tax herein provided for shall be submitted to the voters of the City of Gladstone.

SECTION 3- FORM OF BALLOT- The ballot to be used in such election shall contain the following question:

Question 1

Shall the City of Gladstone, Missouri impose a sales tax of three percent on all tangible personal property retail sales of non-medical adult use marijuana sold in the City of Gladstone, Missouri?

Yes

No

SECTION 4- NOTICE OF ELECTION- The City Clerk is hereby directed to notify the ELECTION AUTHORITY of the Clay County, Missouri, of the enactment of this Ordinance no later than 5:00 pm on Tuesday, January 24, 2023, in accordance with the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

SECTION 5- FURTHER AUTHORITY- That the City Manager, City Clerk, and other appropriate City Officials are hereby authorized and directed to take such actions as may be necessary or desirable to cause this matter to be submitted to the qualified voters of the City.

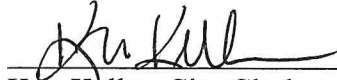
SECTION 6 – EFFECTIVE DATE- That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF JANUARY, 2023.



Bill Garnos, Mayor

ATTEST:



Kris Keller, City Clerk

1st Reading: January 23, 2023

2nd Reading: January 23, 2023



Request for Council Action

RES # City Clerk Only

BILL # 23-05

ORD # 4.623

Date: 1/18/2023

Department: General Administration

Meeting Date Requested: 1/23/2023

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Potential Sales Tax on Adult Use (recreational) Marijuana

Background: On November 8, 2022 Missouri voters approved Amendment 3 commonly known as allowing the sale and use of recreational marijuana. Part of this Amendment allows for Gladstone voters to consider an additional 3% sales tax on the sale of adult use (recreational) marijuana. The sales tax on medical marijuana would remain unchanged and regulated by the State of Missouri. At the January 9, 2023 City Council Open Study Session, the City Council heard a presentation from City attorney John Mullane and was given more detailed information on Amendment 3. The City Council came to a consensus to allow staff to place a proposed ordinance on the January 23, 2023 Council agenda. If passed by the voters, the additional sales tax be used to support the provision of emergency services. It is anticipated that the additional 3% sales tax would generate in the neighborhood of \$100,000 annually.

Budget Discussion: Funds are budgeted in the amount of \$0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$.

Public/Board/Staff Input:

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor.

Scott Wingerson
City Manager

JM
City Attorney