

AN ORDINANCE OF THE CITY OF VALLEY PARK, MISSOURI REAFFIRMING AND MAINTAINING THE GROSS RECEIPTS TAX TO BE IMPOSED UPON WATER COMPANIES CONDUCTING BUSINESS WITHIN THE CITY AND UPDATING SECTION 625.015 OF THE MUNICIPAL CODE

WHEREAS, the Missouri Public Service Commission (“PSC”) has granted a tariff increase to the Missouri American Water Company (“Missouri American”) in excess of seven percent; and,

WHEREAS, tariff increases in excess of seven percent trigger certain requirements under RSMo. Section 393.275 to either roll back the rate of gross receipt taxes imposed by cities on Missouri American or to pass an ordinance maintaining the existing rates despite the increase in gross receipts to Missouri American as a result of the tariff increase; and,

WHEREAS, RSMo. Section 393.275 requires the City to roll back the rate of the gross receipts tax within sixty days of the effective date of the tariff increase unless such cities pass an ordinance to maintain the existing rate; and,

WHEREAS, the PSC has established the effective date of the tariff increase granted to Missouri-American as of May 11, 2023, and sixty days from that date is July 10, 2023;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Valley Park, Missouri as follows:

Section One: The gross receipts tax imposed upon water companies, including but not limited to Missouri American, pursuant to Chapter 625 of the Municipal Code of the City of Valley Park shall be maintained at its existing rate of five percent, despite the tariff increase awarded by PSC to Missouri American effective May 11, 2023.

Section Two: Section 625.015 of the Municipal Code of the City of Valley Park is hereby repealed in its entirety and replaced with the following language:

Section 625.015 Reaffirming the Gross Receipts Tax

- A. Every public utility shall pay to the City an annual license or occupational tax in an amount equal to five percent of the gross receipts derived from such business.
- B. The gross receipts tax imposed upon electric corporations, including, but not limited to, Ameren Missouri, pursuant to Section 625.030 of the Municipal Code of the City of Valley Park, shall be maintained at its existing rate of five percent (5%), despite the tariff increase awarded by the PSC to Ameren Missouri effective on July 31, 2011.
- C. The gross receipts tax imposed upon public utilities, including, but not limited to, Missouri American Water Company, pursuant to Section 625.030 of the Municipal Code

of the City of Valley Park, shall be maintained at its existing rate of five percent (5%), despite the tariff increase in excess of seven percent (7%) awarded by the PSC to Missouri American Water Company effective on May 11, 2023.

Section Three: It is hereby declared to be the intention of the Board of Aldermen that each and every part, section, and subsection of this ordinance shall be separate and severable from each and every other part, section, and subsection hereof and that the Board of Aldermen intends to adopt each said part, section, and subsection separately and independently of any other part, section, and subsection. In the event that any part of this ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect.

Section Four: This ordinance shall take full effect and be in full force upon its passage by the Board of Aldermen and Approval of the Mayor of the City of Valley Park.

Read two times and passed as read this 4th day of July 2023.

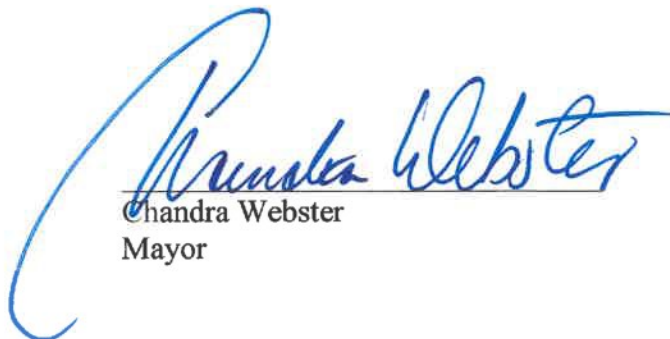
VOTES CAST:

To Approve Bill No. 2023-12

Motion:	<u>WALKER</u>			Second:	<u>WHITE</u>		
		Yes	No			Yes	No
Reynolds		<u>X</u>	---	Young		<u>X</u>	---
Rose		<u>X</u>	---	Walker		<u>X</u>	---
Bowen		<u>X</u>	---	White		<u>X</u>	---
Halker		<u>X</u>	---	Braswell		<u>X</u>	---

Absent: \_\_\_\_\_

Approved this 4th day of July 2023.

  
Chandra Webster  
Mayor

ATTEST:

  
Nathan Schauf  
City Administrator