

**AN ORDINANCE OF THE CITY COUNCIL CALLING AN ELECTION ON THE QUESTION OF WHETHER TO IMPOSE AN ADDITIONAL THREE PERCENT SALES TAX ON TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE (NON-MEDICAL) MARIJUANA SOLD WITHIN THE CITY, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED SALES TAX; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION**

**WHEREAS**, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

**WHEREAS**, amendments to Article XIV of the Missouri Constitution were approved by the voters on November 8, 2022 to remove state prohibitions on the purchase, possession, consumption, use, delivery, manufacture, and sale of marijuana for personal use for adults over the age of twenty-one (21); and

**WHEREAS**, the newly enacted Article XIV, Section 2.6(5) of the Missouri Constitution authorizes the City to impose, by ordinance, an additional sales tax in amount not to exceed three percent (3%) on all tangible personal property retail sales of adult use marijuana sold in the City, if approved by the qualified voters of the City; and

**WHEREAS**, if passed, the additional sales tax of 3% (the “Marijuana Sales Tax”) would not apply to the sale of medical marijuana; and

**WHEREAS**, the City anticipates utilizing the revenue generated from the Marijuana Sales Tax for improving public safety, providing support or other resources relating to public health, mental wellness, citizen education, and other community needs and services impacted by the Constitutional amendment as well as other general funding purposes; and

**WHEREAS**, the Council finds it in the best interests of the City to call an election to be held impose a sales tax of three percent on all retail sales of adult use (non-medical) marijuana sold within the City, and to submit the same to the qualified voters of the City at the general municipal election to be held on April 2, 2024.

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

**Section 1:** Pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution, as amended, and other applicable law, an election is hereby ordered to be held in the City of Republic, Missouri, on April 2, 2024, by and amongst the qualified voters of the City of Republic, Missouri on the question of whether to impose an additional three percent (3%) sales tax on the retail sale of adult use (non-medical) marijuana sold within the City. The question presented shall be in substantially and materially the following form:

**PROPOSITION G**

**SHALL THE CITY OF REPUBLIC, MISSOURI, IMPOSE AN ADDITIONAL SALES TAX OF THREE PERCENT (3%) ON THE RETAIL SALE OF ADULT USE (NON-MEDICAL) MARIJUANA?**

YES  
 NO

**INSTRUCTIONS TO VOTERS:** If you are in favor of Proposition G, shown above, place an "X" in the box to the immediate left of "YES". If you are opposed to Proposition G, shown above, place an "X" in the box to the immediate left of "NO".

**The additional sales tax of three percent (3%), if passed, will be imposed on all adult use (non-medical) marijuana sales made within the City which are subject to taxation under Section 115.121.3 of the Revised Statutes of Missouri, as amended, and will be in addition to all other sales taxes allowed by law.**

**Section 2:** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.

**Section 3:** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.

**Section 4:** The election shall be held and conducted, and the results thereof canvassed and returned, in all respects in accordance with the laws of the State of Missouri and the Charter and Ordinances of the City of Republic, Missouri.

**Section 5:** The whereas clauses are hereby specifically incorporated herein by reference.

**Section 6:** The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

**Section 7:** This Ordinance shall take effect and be in force from and after its passage as provided by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

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Laura Burbridge, City Clerk

**Approved as to Form:**



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Megan McCullough, City Attorney

**Final Passage and Vote:**