

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220998

Calling for submission to the voters of Kansas City, at an election to be held on the general municipal election date prescribed by Section 115.121.3, RSMo, of Tuesday, April 4, 2023, a question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; directing the City Clerk to provide notice of the election; and recognizing an accelerated effective date.

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana; and

WHEREAS, the Missouri Constitution permits voters in cities to impose an additional sales tax on the retail sale of adult use non-medicinal marijuana to support regulatory administration, enforcement, and efforts such as equitable neighborhood quality of life in the City; city, homeless prevention and outreach, and violence prevention and intervention initiatives; and

WHEREAS, the City currently handles a high volume of code and other enforcement requests in the Neighborhood Services Department, Regulated Industries Division, Department of Public Works, and Department of Public Health; and Works' Solid Waste Division is responsible ~~WHEREAS, the Neighborhood Services Department, Regulated Industries Division, Department of Public Works, and Department of Public Health have administrative responsibility for marijuana and alcohol regulation, neighborhood quality of life, and the abatement of neighborhood dumping and trash removal; and~~

WHEREAS, the ~~WHEREAS, the City wishes to impose an additional sales tax to support the Neighborhood Services Department, Regulated Industries Division, Department of Public Works, and Department of Public Health in establishing administrative support for marijuana and alcohol regulation, code enforcement, neighborhood quality of life, and abatement of neighborhood dumping and trash removal; and Housing Department's Office of Homeless Prevention is responsible for implementing community-wide strategies to expedite assistance to the houseless and those at-risk of becoming houseless and creating strategies to reduce houselessness and generational poverty; and~~

WHEREAS, the Health Department's Office of Violence Prevention is responsible for implementing holistic and evidence-based programs aimed at eradicating the root causes of crime, building healthy families, and fortifying strong communities to combat the public health crisis that is gun violence; and

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WHEREAS, Section 115.121.3 of the Missouri Revised Statutes provides that the “general municipal election day” is on the first Tuesday following the first Monday in April each year; and

WHEREAS, the next general municipal election day is April 4, 2023; ~~NOW, THEREFORE, and~~

WHEREAS, to allow the voters of Kansas City to determine the immediate future of this source of revenue; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That a general municipal election is called and shall be held on Tuesday, April 4, 2023, for the purpose of submitting to the voters the question of whether to impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana.

Section 2. BALLOT TITLE. The ballot title shall be:

QUESTION NO. __

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

“Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?”

_____ Yes _____ No

Section 3. ELECTION NOTICE. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given to the qualified voters of the City of Kansas City, Missouri, that the City Council of the City has called a general municipal election to be held in the City on April 4, 2023, commencing at 6:00 A.M. and closing at 7:00 p.m., on the question contained in the following sample ballot:

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OFFICIAL BALLOT
CITY OF KANSAS CITY

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. __

(Additional Sales Tax on Retail Sale of Adult Use Non-Medicinal Marijuana)

Shall the City of Kansas City impose an additional sales tax of three percent (3%) on the retail sale of adult use non-medicinal marijuana? for the exclusive purpose of providing neighborhood quality of life improvements, to fund through the Department of Health, refuse and neighborhood cleanup services, homeless prevention services, and violence prevention services administered by the City?

_____ Yes _____ No

Instructions to voters will be supplied by the election authorities.

A complete copy of Ordinance No. ~~20~~ 220998 (as it may be amended) submitting the above question to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only].

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127 RSMo, as amended.

Given under my hand and the official seal of the City of Kansas City, Missouri, this _____ day of January, 2023.

(SEAL)

Marilyn Sanders
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My commission expires: _____

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Section 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, not later than January 24, 2023, which shall be the authority of each election authority of the City to submit the question to the electors of Kansas City and to give public notice as provided by law.

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Section 5. ACCELERATED EFFECTIVE DATE. This ordinance, providing for the submission of an additional sales tax of three percent (3%) on the ~~continuation of the earnings~~ ~~tax~~ retail sale of adult use non-medicinal marijuana to the people of Kansas City, Missouri, is hereby recognized to be an ordinance with an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter because it calls for an election and provides for the submission of a question to the people; and as such shall become effective immediately following approval by the Mayor, or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

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Approved as to form ~~and legality~~:

Matthew Gigliotti
City Attorney