

ORDINANCE NO. 5/3

AN ORDINANCE IMPOSING AN ADDITIONAL SALES TAX IN THE AMOUNT OF ONE PERCENT (1%) ON THE SALE OF TANGIBLE PERSONAL PROPERTY AT RETAIL AND THE FURNISHING OF TAXABLE SERVICES IN THE CITY OF LAS ANIMAS, COLORADO, AND AN ADDITIONAL USE TAX IN THE AMOUNT OF ONE PERCENT (1%) BY AMENDING SECTIONS 19A-7, 19A-14, 19A-15 AND 19A-17 OF THE LAS ANIMAS CITY CODE AND PROVIDING FOR AN ELECTION ON THE PROPOSALS HEREIN CONTAINED.

WHEREAS, the City Council of the City of Las Animas, Colorado, has determined that it is in the best interest of the citizens of the City of La Animas, Colorado that an additional fund separate from and in addition to existing funds, be established to finance street and drainage improvements within the City of Las Animas and that such fund can best be funded by the imposition of an additional tax of one percent (1%) on all retail sales of tangible personal property, and furnishing of taxable services in the City of Las Animas, and the imposition of an additional one percent (1%) use tax.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO, that:

1. Chapter 19 of the Las Animas City Code is amended to read as follows:

Sec. 19A-7 Amount of Tax.

There is imposed upon all sales of tangible personal property and the furnishing of certain services, as specified in Sections 19A-3 through 19A-5 a two percent sales tax upon the sale at retail of tangible personal property and the furnishing of certain services as provided herein.

Sec. 19A-14 Disposition of Revenue

Revenues derived from such sales tax shall be divided as follows:

- a). One half ($\frac{1}{2}$) the revenues (1%) shall be paid into the general fund of the city.
- b). One half ($\frac{1}{2}$) the revenues (1%) shall be paid into a special fund to be used exclusively for street and drainage improvements.

Sec. 19A-15 Imposition

There is imposed a use tax of two percent thereof, for the privilege of storing, using, or consuming in the city,

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any construction and building materials, and motor and other vehicles on which registration is required, purchased at retail.

Sec. 19A-17(a) Motor and other vehicle use tax collection

The two percent use tax provided for in this article shall be applicable to every motor vehicle for which registration is required by the laws of the state, and no registration shall be made of any motor or other vehicle for which registration is required, and no certificate of title shall be issued for such vehicle by the Department of Revenue or its authorized agents until any tax due upon the use, storage, or consumption thereof pursuant to this article has been paid.

2. ELECTION

Upon the adoption of this Ordinance by the City Council of the City, this Ordinance shall be submitted to an election by the registered electors of the City of Las Animas for their approval or rejection. Such election shall be held on the 6th day of November, 1984, the date of the next regular election, and shall be conducted in the manner provided in the "The Colorado Municipal Election Code of 1965."

3. EFFECTIVE DATE

Upon approval of this Ordinance by the registered electors as herein provided, this Ordinance shall become effective and in force at 12:01 A.M. on the first day of January, 1985. As soon as practical after said approval, the City Council of the City shall request the Executive Director of Revenue of the State of Colorado to collect, administer, and enforce this ordinance as herein provided and shall at the time of said request submit a true and complete certified copy of this Ordinance and all necessary proceedings in connection herewith to the Executive Director of Revenue.

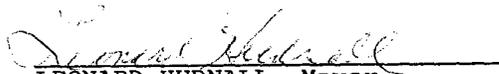
4. SEVERABILITY

If any provision of this Ordinance or the application thereof, to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

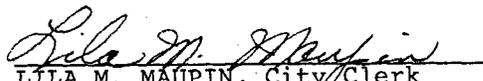
INTRODUCED, PASSED on first reading and ordered published
this Twenty First day of August, 1984.

ADOPTED on second reading and ordered published by title
only this 4TH day of SEPTEMBER, 1894.

CITY OF LAS ANIMAS:


LEONARD HUDNALL, Mayor

ATTEST:


LILA M. MAUPIN, City Clerk

