

ORDINANCE NO.1347

**AN ORDINANCE TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF BALDWIN CITY, KANSAS, THE PROPOSITION OF LEVYING A FIVE-TENTHS OF ONE PERCENT (0.5%) RETAILERS' SALES TAX IN THE CITY.**

**WHEREAS**, K.S.A. 12-187 *et seq.*, authorizes the governing body of the City of Baldwin City, Kansas (the "City") to submit to the qualified electors of the City the question of levying a retailers' sales tax in the City and pledging the revenue received from the tax to certain purposes of the City with the tax to be collected by the Kansas Department of Revenue and returned to the City; and

**WHEREAS**, the governing body of the City has determined it is necessary to authorize the levy of a 0.5% retailers' sales tax, to begin on May 1st, 2017, with revenue received from the tax to be used for governmental purposes as described in the ballot question approved by this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BALDWIN CITY, KANSAS:**

**Section 1.** A special question election is called to be conducted on February 7th, 2017, for the purpose of submitting to the qualified electors of the City the question of levying a retailers' sales tax in the City in the amount of five-tenths of one percent (0.5%), with such tax to take effect on May 1st, 2017, if approved by a majority of the electors voting on the question. The election shall be conducted in the manner prescribed by applicable laws of the State of Kansas.

**Section 2.** If approved by a majority of the electors voting on the question, the retailers' sales tax will be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Kansas Department of Revenue shall be utilized to administer, enforce and collect such tax.

**Section 3.** The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall a retailers' sales tax in the amount of five-tenths of one percent (0.5%) be levied in the City of Baldwin City, Kansas (the "City"), to take effect May 1st, 2017, with revenue from such tax to be used for general governmental purposes of the City, including providing funds to construct, equip, operate and maintain

a public community center and to provide funds to operate and maintain other city facilities, all pursuant to K.S.A. 12-187, *et seq.*, as amended?

**Section 4.** The Douglas County Clerk is authorized to and shall give notice of the bond election by publishing a notice of election (in substantially the form attached to this Ordinance as **Exhibit A**) once each week for two consecutive weeks in a newspaper of general circulation in the City, as provided in K.S.A. 12-187 *et seq.*, and K.S.A. 10-120, with the first publication to be not less than twenty-one (21) days prior to the date of the election. The vote at the election shall be by ballot and the proposition approved by this Ordinance shall be printed on the ballot with the voting instructions required by law.

**Section 5.** This Ordinance shall take effect from and after its adoption by the Governing Body of the City and publication one time in the official city newspaper.

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ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF

BALDWIN CITY, KANSAS, ON August 1, 2016.



CITY OF BALDWIN CITY, KANSAS

Marilyn Pearse  
Marilyn Pearse, Mayor

ATTEST:

Laura E. Hartman  
Laura E. Hartman, City Clerk

Approved to Form:

Matt Hoy  
Matt Hoy, City Attorney

**Exhibit A**  
**To Ordinance No.**

**NOTICE OF SPECIAL QUESTION  
ELECTION**

**TO ALL OF THE QUALIFIED ELECTORS OF THE CITY OF BALDWIN CITY,  
KANSAS:**

Notice is given by the Governing Body of the City of Baldwin City, Kansas, and the County Election Officer of Douglas County, Kansas, that a special question election will be held in the City of Baldwin City on February 7th, 2017, for the purpose of voting on the question of levying a city retailers' sales tax in the amount of five-tenths of one percent (0.5 %) on retail sales consummated within the City of Baldwin City, Kansas, according to the provisions of **K.S. A. 12-187 et seq.** If approved, the retailers' sales tax will begin on May 1st, 2017 and the revenue received by the City will be used for public purposes as described in the ballot question. If approved by a majority of the electors voting such tax shall be collected by the Kansas Department of Revenue, and the revenue returned to the City of Baldwin City, Kansas.

The polls will be open for voting between 7:00 a.m. and 7:00 p.m. on February 7th, 2017, at the following places:

[To be supplied by the county clerk/election officer]

The proposition to be voted on shall appear on the ballot as follows:

Shall the following be adopted?

Shall a retailers' sales tax in the amount of five-tenths of one percent (0.5 %) be levied in the City of Baldwin City, Kansas (the "City"), to take effect May 1st, 2017, with revenue from such tax to be used for general governmental purposes of the City, including providing funds to construct, equip, operate and maintain a public community center and to provide funds to operate and maintain other city facilities, all pursuant to **K.S.A. 12-187, et seq.**, as amended?

\_\_\_ Yes

\_\_\_ No

To vote in favor of any question submitted upon this ballot, make a cross or check mark to the left of the word "Yes"; to vote against it, make a cross or check mark to the left of the word "No".

Dated \_\_\_\_\_

By \_\_\_\_\_  
Douglas County Clerk/Election Officer