

**ORDINANCE NO. \_\_\_\_**

**BILL NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 25, TAXATION, TO ENACT A NEW SECTION TO PROVIDE FOR NO AUTOMATIC ADJUSTMENTS PURSUANT TO SECTION 393.275 RSMO.**

**WHEREAS**, Chapter 25 of the Code of Ordinances, City of Sunset Hills, Missouri (the “Code”) contains the City’s license tax imposition on electric companies, gas companies, telephone companies, and water companies; and

**WHEREAS**, the City received a notice from the Public Service Commission of the State of Missouri pursuant to Section 393.275 RSMo. that Missouri American Water has raised its rates effective May 11, 2023; and

**WHEREAS**, pursuant to Section 393.275 RSMo., within sixty (60) days of the effective date of such rate increase, the City’s tax rate shall be adjusted, or the City may enact an ordinance to maintain its tax rate; and

**WHEREAS**, the Board of Aldermen desires to maintain its tax rate on companies furnishing water or water service and find it in the best interest to pass an ordinance to have no automatic adjustments on such companies as well as on electric companies, gas companies, and telephone companies.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

**Section 1.** Article I, In General, of Chapter 25, Taxation, is hereby amended by enacting a new Section 23-5 to read as follows:

**Sec. 25-5. - No Automatic Adjustments.**

Pursuant to Section 393.275 RSMo., and other applicable authority, the City shall maintain now and hereinafter, unless otherwise provided by law, the tax rates of its license taxes on the gross receipts of businesses furnishing or supplying light, electricity, electrical service or power, gas or gas service, telephones or telephone service, or water or water service, including as imposed and at the rates established pursuant to Sections 25-11, 25-25, 25-39, and 25-53, as may be amended from time to time, without reduction, notwithstanding any periodic fluctuations in the tariffs or service rates of such utility companies or any notice thereof, including, but not limited to, notice sent under Section 393.275 RSMo.

**Section 2.** The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds that the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot

be presumed that the Board of Aldermen would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR