

ORDINANCE NO. 10260

AN ORDINANCE AMENDING CHAPTER 4, TITLE XIV OF THE PUEBLO MUNICIPAL CODE TO EXTEND THE ADDITIONAL ONE-FIFTH PERCENT (.2%) SALES AND USE TAX RATE FOR A FIVE YEAR PERIOD FROM JANUARY 1, 2023 TO DECEMBER 31, 2027 FINDING AND DETERMINING THAT THE EXPENDITURE OF SUCH REVENUES FOR POLICE PERSONNEL AND OPERATING NEEDS IS A PUBLIC PURPOSE AND MUNICIPAL FUNCTION, AND PROVIDING FOR OTHER MATTER RELATING THERETO

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF PUEBLO, that (brackets indicate matter being deleted; underscoring indicates new matter being added):

SECTION 1.

Section 14-4-85 of Chapter 4, Title XIV of the Pueblo Municipal Code, as amended, (a portion of Section 13 of Ordinance No. 2189 approved by a vote of the People on November 8, 1955, as amended by Ordinance Nos. 3160, 3474, 4235, 5170, 5314, 5668, 5810, 5978, 6683, 7464, 8197, 8902, 9141 and 9167) is hereby amended by amending subsection (g) thereof to read as follows:

Sec. 14-4-85. Schedule; tax added to price.

...

(g) Notwithstanding the three percent (3%) or three and one-half percent (3.5%) rate provisions of this Section, the rate of tax previously imposed pursuant to Subsections 14-4-85(a) and (e) shall be increased by one-fifth percent (0.2%) **[for five (5) years,]** from January 1, 2018 through December 31, **[2022] 2027**. Pursuant to the foregoing increase, the rate of tax imposed pursuant to this Section for the period January 1, 2018 through December 31, **[2022] 2026**, shall be three and seven-tenths percent (3.7%). **For the period January 1, 2026 through December 31, 2027, the rate of tax imposed pursuant to this Section shall be three and two-tenths percent (3.2%).**

SECTION 2.

Section 14-4-63 of Chapter 4, Title XIV of the Pueblo Municipal Code (Section 20 of Ordinance No. 2189 approved by a vote of the People on November 8, 1955, as amended by Ordinance Nos. 3160, 3474, 4734, 5170, 5314, 5668, 5810, 5978, 6683, 7464, 8197, 8902, 9141 and 9167) is hereby amended by amending subsection (3) thereof to read as follows:

Sec. 14-4-63. Storage, consumption and use tax schedule.

...

(3) Notwithstanding the three percent (3%) or three and one-half percent (3.5%) rate provisions of this Section, the rate of tax previously imposed pursuant to the above provisions of this Section shall be increased by one-fifth percent (0.2%) **[for five (5) years,]** from January 1, 2018 through December 31, **[2022] 2027**. Pursuant to the foregoing increase, the rate of tax imposed pursuant to this Section for the period January 1, 2018 through December 31, **[2022]**

2027, shall be three and seven-tenths percent (3.7%). **For the period January 1, 2026 through December 31, 2027, the rate of tax imposed pursuant to this Section shall be three and two-tenths percent (3.2%).**

SECTION 3.

The people of Pueblo do hereby find, determine and declare that the expenditure of revenues from the additional one-fifth percent (.2%) sales and use tax rate for Police personnel and operating needs will promote the public peace, health, safety and welfare. The people of Pueblo do further find, determine and declare that the expenditure of such revenues for public safety is a public purpose and municipal function.

SECTION 4.

All ordinances relating to sales and use taxes heretofore adopted, amended or implemented shall remain in full force and effect except as the same have been previously amended or repealed or as the same may be amended by this Ordinance.

SECTION 5.

All ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance, or part thereof, heretofore repealed.

SECTION 6.

If any section, subsection, paragraph, clause or other provision of this Ordinance for any reason is invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 7.

This Ordinance shall become effective upon the majority vote in favor thereof by the registered electors of the City voting thereon at the Special Municipal Election to be held Tuesday, November 8, 2022. The extension of the tax levies as provided by this Ordinance shall take effect beginning January 1, 2023.

SECTION 8.

The officers and staff of the City are authorized to take all action necessary, appropriate or required to implement the provisions of this Ordinance.

SECTION 9.

Any revenues generated by the additional one-fifth percent (.2%) sales and use tax imposed pursuant to this Ordinance, together with all investment income thereon, may be collected, retained and spent as a voter-approved revenue change and an exception to the limits which would otherwise apply pursuant to Article X, Section 20 of the Colorado Constitution or any other law.

SECTION 9.

Any revenues generated by the additional one-fifth percent (.2%) sales and use tax imposed pursuant to this Ordinance, together with all investment income thereon, including interest and penalties with respect thereof, shall upon collection and receipt by the City, be deposited and placed in a special fund created pursuant to Section 14-4-85(h), P.M.C., and known as the "Sales and Use Tax Police Fund" (the "Fund"). The moneys in the Fund shall be used solely for Police personnel and operating needs.

Election Results: November 8, 2022

FOR THE ORDINANCE: _____

AGAINST THE ORDINANCE: _____