

ORDINANCE NO. 2020 - 5252

AN ORDINANCE AMENDING ORDINANCE NO. 2001-1591, AS PREVIOUSLY AMENDED, TO REVISE THE METHOD OF DISTRIBUTION AND USE OF CERTAIN TAX PROCEEDS OF THE CITY OF PELL CITY, ALABAMA

WHEREAS, pursuant to Ordinance No. 2001-1591, as amended by Ordinance No. 2010-3033 and Ordinance No. 2010-3047, the City of Pell City, Alabama, levied an additional one percent (1%) tax on the gross proceeds of sales of the businesses in the City beginning on May 1, 2010; and,

WHEREAS, Ordinance No. 2001-1591, as amended by Ordinance No. 2010-3033 and Ordinance No. 2010-3047, provided that the revenue generated from that additional one percent (1%) tax was to be shared equally between the City and the Pell City Board of Education until April 30, 2014, and that after that date, one hundred percent (100%) of the revenue generated from the additional one percent (1%) tax was to be deposited in the City's General Fund to be applied for any lawful municipal purposes; and,

WHEREAS, in 2013, the City Council of the City of Pell City extended the distribution of the aforesaid additional one percent (1%) tax to the Pell City Board of Education as set forth in Ordinance No. 2013-4207; and,

WHEREAS, the City Council of the City of Pell City acknowledges the importance of public education and desires to continue the development of strong public schools in the City of Pell City to further the City's economic development; and,

WHEREAS, the City Council of the City of Pell City desires to provide additional funding to the Pell City Board of Education by extending the distribution of the aforesaid additional one percent (1%) tax to the Pell City Board of Education as detailed herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:

Section A: That the provisions of Section 6, Distribution and Use of Tax Proceeds, of Ordinance No. 2001-1591, as previously amended by Ordinance No. 2010-3033, Ordinance No. 2010-3047, and Ordinance No. 2013-4207, are hereby amended to read as follows:

SECTION 6. DISTRIBUTION AND USE OF TAX PROCEEDS.

The revenue, less the cost of collection, obtained from the taxes levied pursuant to this Ordinance shall be distributed as follows:

(1) One-fourth (25%) of the revenues generated by the taxes imposed by Sections 1(a), 1(b), 1(c), 1(d), 1(e), and 1(f), and Sections 3(a), 3(b), 3(c), and 3(d) shall be paid to the Custodian of Public School Funds of the Pell City Board of Education, if any such independent city board of education shall then be existing, to be applied for school purposes; and

(2) The remaining three-fourths (75%) of the revenues generated by the taxes imposed by Sections 1(a), 1(b), 1(c), 1(d), 1(e), and 1(f), and Sections 3(a), 3(b), 3(c), and 3(d) shall be deposited in the City's General Fund to be applied for any lawful municipal purpose.

(3) Until September 30, 2014, fifty percent (50%) of the revenues from the additional one percent (1%) tax hereinabove imposed by Section 1(g) and Section 3(e) shall be paid to the Custodian of Public School Funds of the Pell City Board of Education, if any such independent city board of education shall then be existing, to be applied for school purposes; and the remaining fifty percent (50%) of the revenues of the additional one percent (1%) tax

hereinabove imposed by Section 1(g) and Section 3(e) shall be deposited in the City's General Fund to be applied for any lawful municipal purposes.

(4) Beginning on October 1, 2014, and continuing thereafter, thirty percent (30%) of the revenues from the additional one percent (1%) tax hereinabove imposed by Section 1(g) and Section 3(e) shall be paid to the Custodian of Public School Funds of the Pell City Board of Education, if any such independent city board of education shall then be existing, to be applied for school purposes; and the remaining seventy percent (70%) of the revenues of the additional one percent (1%) tax hereinabove imposed by Section 1(g) and Section 3(e) shall be deposited in the City's General Fund to be applied for any lawful municipal purposes.

Section B: Severability. If any section or provision of this Ordinance shall hereafter be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of any other section or provision of this Ordinance.

Section C: Repeal of Conflicting Ordinances. Any other Ordinances, or provisions thereof, in conflict with this Ordinance shall be and hereby are repealed on the effective date of this Ordinance.

Section D: Effective Date. This Ordinance shall become effective upon approval, passage and publication as required by law.


ADOPTED AND APPROVED this the 27th day of January, 2020.


James McGowan, Council President

ATTEST:


Penny Isbell, City Clerk

APPROVED this 27th day of January, 2020.

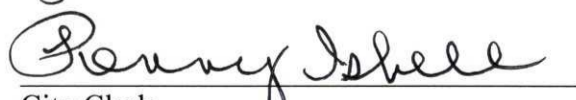

William T. Pruitt, IV, Mayor

ATTEST:


Penny Isbell, City Clerk

CERTIFICATION

I, Penny Isbell, Clerk of the City of Pell City, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Pell City at a regular meeting held on the 27th day of January, 2020, and that same has been published in accordance with law in the *St. Clair News Aegis* on the 30th day of January, 2020.


City Clerk