

FILED

ORDINANCE NO. 313

2013 MAR 27 PM 2: 10

AN ORDINANCE PROVIDING FOR THE LEVY OF ONE-HALF OF ONE PERCENT (0.5%) SALES AND USE TAX WITHIN THE CITY OF BETHEL HEIGHTS, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

TEENA O'BRIEN
CLERK & PROBATE CLERK
BENTON COUNTY, ARK

WHEREAS, the City Council of the City of Bethel Heights, Arkansas (the "City") has determined that the City is in need of an additional source of revenue to be used for one or more of the following: (a) to operate and maintain the City's sewer system (the "System") and to acquire, construct and equip extensions, betterments and improvements to the System, (b) to acquire, construct, improve, expand, equip, furnish, operate and maintain park and recreational facilities and (c) for general operations and other purposes of municipal government; and

WHEREAS, Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") provides for the levy of city-wide sales and use taxes at the rate of 0.125%, 0.25%, 0.5%, 0.75% or 1%, or any combination thereof; and

WHEREAS, the City is currently levying sales and use taxes at the aggregate rate of 2% under the authority of the Authorizing Legislation; and

WHEREAS, the purpose of this Ordinance is to levy a City-wide sales and use tax at the rate of 0.5% to be used for the purposes set forth above;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bethel Heights, Arkansas:

Section 1. Under the authority of the Authorizing Legislation, there is hereby levied a one-half of one percent (0.5%) tax on the gross receipts from the sale at retail within the City of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the City of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§26-53-101, et seq.), at a rate of one-half of one percent (0.5%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the "Sales and Use Tax"). The Sales and Use Tax shall be levied and collected on the gross receipts, gross proceeds or sales price in the maximum amount allowed from time to time under Arkansas law, subject to rebates and limitations as required for certain single transactions as from time to time required by Arkansas statutes.

Section 2. The Sales and Use Tax shall be levied, and the net collections received deduction of the administrative charges of the State of Arkansas and required rebates shall be used for one or more of the following: (a) to operate and maintain the System and to acquire, construct and equip extensions, betterments and improvements to the System, (b) to

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acquire, construct, improve, expand, equip, furnish, operate and maintain park and recreational facilities and (c) for general operations and other purposes of municipal government.

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Section 3. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

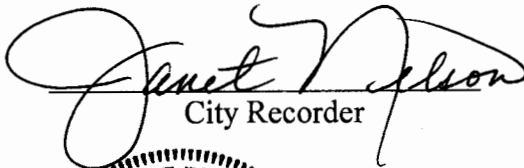
TEHA HUBBARD
CO. & PROBATE CLERK
BENTON COUNTY, ARK

Section 4. This Ordinance shall not take effect until an election is held on the question of levying the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the levy of the Sales and Use Tax.

PASSED: March 19, 2013.

APPROVED:

ATTEST:


City Recorder


Mayor



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CERTIFICATE

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The undersigned, City Recorder of the City of Bethel Heights, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 1313 passed at a regular session of the City Council, held at the regular meeting place of the City Council at 7:00 p.m., on the 19th day of March, 2013, and that the Ordinance is of record in the Ordinance Record Book of the City, now in my possession.

NON RESUBMITTED
CO. & PRIVATE CLERK
BENTON COUNTY, ARK

GIVEN under my hand and seal this 19th day of March, 2013.


City Recorder

(SEAL)

