

ORDINANCE 81

AN ORDINANCE repealing the sub-section entitled "Special Provisions" of Section 4 of Ordinance No. 278 and enacting in lieu thereof a new "Special Provisions" sub-section of Section 4 relating to the same subject matter, and providing for a license tax.

BE IT ORDAINED by the Board of Aldermen

of the City of Hopkins, Missouri, as follows:

SECTION 1 - That the sub-section entitled "Special Provisions" of Section 4 of Ordinance Number 278 be and the same is hereby repealed, and that a new "Special Provisions" sub-section of Section 4 of Ordinance Number 278 be enacted in lieu thereof relating to the same subject matter, and providing for a license tax, which shall read as follows:

SPECIAL PROVISIONS:

The foregoing Items A, B, C, D and E of this overhead lighting schedule are only applicable provided:

(1) That the Company is serving the City under the terms of an electric franchise. In case the Company shall at any time furnish overhead street lighting service to the City without the existence of an electric franchise, all overhead lighting shall be charged for in accordance with the net rates respectively set out in Items B, D and E.

(2) That the Company shall pay to the City a license tax which shall be a sum equal to five per cent (5%) of the gross receipts of the Company from the sale of electrical energy for residential and commercial purposes within the limits of the City; that such taxes herein required to be paid by the Company shall be in lieu of any other franchise, license, occupation, excise or merchandising tax, but shall not be in lieu of any ad valorem tax.

(3) In case the Company shall at any time furnish overhead street lighting service to the City under an obligation to pay a franchise or license fee or tax in excess of such tax specified in Paragraph (2) above, all overhead lighting shall be charged for in accordance with the net rates respectively set out in Items C, D and E.

(4) All ordinances or parts of ordinances which are in conflict herewith, insofar as they so conflict, are hereby repealed.

(5) That within ten (10) days after the passage and approval of this ordinance the St. Joseph Light & Power Company shall file its written acceptance of this ordinance with the Clerk of the City of Hopkins, Missouri, and unless such written acceptance is so filed within said ten days, this ordinance shall be null and void.

(6) If this ordinance is accepted by the St. Joseph Light & Power Company, as provided in Paragraph 5. above, this ordinance shall take effect and be in force on and after July 1, 1958.

Passed by the Board of Aldermen this 22nd day of July, 1958.

O. L. Oberbauer
Clerk

Approved by the Mayor of the City of Hopkins, Missouri, this 22nd day of July, 1958.

Robert Potts
Mayor