

# **LEVYING SALES AND USE TAX**

## **ORDINANCE NO. 111**

**AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE PERCENT SALES AND USE TAX WITHIN THE CITY OF CHERRY VALLEY, ARKANSAS, AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.**

*WHEREAS, THE City Council of City of Cherry Valley, Arkansas (the "City"), has determined that there is a great need for immediately acquiring and/or constructing and equipping a building to house an ambulance service, police department, and fire department, and for a source of revenue to finance such building and equipment and,*

*WHEREAS, Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") provides for the levy of a one percent (1%) city wide sales and use tax;*

*NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Cherry Valley, Arkansas:*

### **SECTION 1:**

*Under the authority of the Authorizing Legislation, there is hereby levied a one percent (1%) 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 percent (1%) of the sales 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 only on the first \$2,500 for each single transaction.*

### **SECTION 2:**

*The Sales and Use tax shall be collected for a period of five (5) years.*

### **SECTION 3:**

*That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.*

**LEVYING SALES AND USE TAX**

**ORDINANCE NO. 111**

-2-

**SECTION 4:**

*That 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: October 2, 2003**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**