

BILL NO. 1110

ORDINANCE NO. 2011-1110

**AN ORDINANCE OF THE CITY OF WOOD HEIGHTS, MISSOURI, REAFFIRMING THE 5% GROSS RECEIPTS TAX TO BE IMPOSED UPON ELECTRIC CORPORATIONS CONDUCTING BUSINESS WITHIN THE CITY AND MATTERS RELATED THERETO**

**WHEREAS**, the Missouri Public Service Commission (PSC) has granted a tariff increase of 7.11 percent to Union Electric company d/b/a Ameren Missouri ("Ameren Missouri"); and

**WHEREAS**, tariff increases in excess of 7 percent trigger certain requirements under R.S.Mo. Section 393.275.1 to either roll back the rate of gross receipts taxes imposed by cities on Ameren Missouri or to pass an ordinance maintaining the existing rates despite the increase in the gross receipts to Ameren Missouri as a result of the tariff increase; and

**WHEREAS**, Section 393.275.2 requires cities to roll back the rate of the gross receipts tax within 60 days of the effective date of the tariff increase unless such cities pass an ordinance to maintain the existing rate; and

**WHEREAS**, the PSC has established the effective date of the tariff increase granted to Ameren Missouri as August 25, 2011, and 60 days from that date is October 25, 2011;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOOD HEIGHTS, MISSOURI, AS FOLLOWS:**

**Section 1.** The gross receipts tax imposed upon electric corporations, including Ameren Missouri, pursuant to Ordinance 610, shall be maintained at its existing rate of five (5) percent, despite the tariff increase awarded by the PSC to Ameren Missouri effective on July 31, 2011.

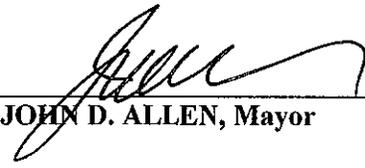
**Section 2.** Pursuant to Section 393.275, RSMo., and any and all other applicable authority, the City shall maintain the tax rate of its business license taxes on the gross receipts of electric utilities without reduction notwithstanding any periodic fluctuations in the tariffs of such utility corporations or any notice thereof including, but not limited to, notice sent under Section 393.275, RSMo.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed, but shall otherwise remain in full force and effect.

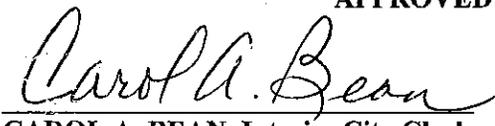
**Section 4.** This Ordinance shall become effective immediately upon passage and approval.

PASSED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR THIS 19<sup>th</sup>  
DAY OF October, 2011.

APPROVED: \_\_\_\_\_

  
JOHN D. ALLEN, Mayor

ATTEST: \_\_\_\_\_

  
CAROL A. BEAN, Interim City Clerk