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**CITY OF HOMER
HOMER, ALASKA**

Mayor

ORDINANCE 15-36(A-2)

AN ORDINANCE AMENDING HCC 9.16.010 TO SUSPEND THE DEDICATION OF 0.75% OF THE CITY SALES TAX TO THE HOMER ACCELERATED ROADS AND TRAILS (H.A.R.T.) PROGRAM FOR A PERIOD OF THREE YEARS, AND AUTHORIZING THE CITY TO SUBMIT THE QUESTION OF SUSPENDING SUCH SALES TAX DEDICATION TO THE QUALIFIED VOTERS OF THE CITY AT A SPECIAL ELECTION TO BE HELD IN THE CITY ON DECEMBER 1, 2015.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 9.16.010 is amended to read as follows:

9.16.010 Levied.

a. A consumer's sales tax in the amount of three and three-quarters percent is levied by the City on all sales, rents and services within the City except as the same may be otherwise exempted by law.

b. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding debt retirement of the sewer treatment plant improvements, and to the extent revenues from such tax exceed such debt retirement obligations, for the purpose of funding water and sewer systems.

Section 2. Homer City Code 9.16.010 is amended to read as follows:

9.16.010 Levied.

a. A consumer's sales tax in the amount of three percent is levied by the City on all sales, rents and services within the City except as the same may be otherwise exempted by law.

b. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding debt retirement of the sewer treatment plant improvements, and to the extent revenues from such tax exceed such debt retirement obligations, for the purpose of funding water and sewer systems.

c. An additional consumer's sales tax in the amount of three-quarters percent is hereby levied by the City of Homer on all sales, rents and services within the City except as the same may be otherwise exempted by law, for the purpose of funding of street

43 reconstruction improvements and related utilities, construction of new local roads, and
44 construction of new local trails.

45
46 Section 3. A special election in and for the City is called for December 1, 2015, at which
47 the City shall submit the following proposition to the qualified voters of the City. The
48 proposition must receive an affirmative vote from a majority of the qualified voters voting on
49 the question to be approved.

50 **PROPOSITION NO. 1**

51 **SUSPEND THE DEDICATION OF 0.75% OF THE CITY SALES TAX TO THE**
52 **HOMER ACCELERATED ROADS AND TRAILS (H.A.R.T.) PROGRAM FOR A**
53 **PERIOD OF THREE YEARS, TO MAKE SUCH 0.75% OF CITY SALES TAX**
54 **AVAILABLE FOR GENERAL GOVERNMENT PURPOSES**

55
56 Shall the dedication of 0.75% of the City sales tax to the Homer Accelerated
57 Roads and Trails (H.A.R.T.) Program be suspended for a period of three years,
58 to make such 0.75% of City sales tax available for general government
59 purposes?

60
61 Section 4. The proposition shall be printed on paper ballots and machine ballots, and
62 the following words shall be added as appropriate next to an oval provided for marking the
63 ballot for voting by hand or machine:

64
65 PROPOSITION NO. 1

66
67 Yes
68 No

69
70 Section 5. Section 1 of this ordinance shall become effective on January 1, 2016, but
71 only if the proposition described in Section 3 is approved by a majority of the qualified voters
72 voting on the proposition at the special election to be held in the City on December 1, 2015.
73 Section 2 of this ordinance shall become effective on January 1, 2019, but only if the
74 proposition described in Section 3 is approved by a majority of the qualified voters voting on
75 the proposition at the special election to be held in the City on December 1, 2015. The
76 remaining sections of this ordinance shall become effective upon adoption.

77
78 Section 6. Sections 1 and 2 of this ordinance are of a permanent and general character
79 and shall be included in the city code upon their respective effective dates. The remaining
80 sections of this ordinance are not permanent in nature, and shall not be codified.

81
82 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 12th day of
83 October, 2015.

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CITY OF HOMER

Mary E. Wythe
MARY E. WYTHE, MAYOR

ATTEST:

Jo Johnson
JO JOHNSON, MMC, CITY CLERK

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 2

First Reading: 9/28/15
Public Reading: 10/12/15
Second Reading: 10/12/15
Effective Date: 10/13/15

Reviewed and approved as to form:

Mary K. Koester
Mary K. Koester, City Manager

Date: 10.15.15

Thomas F. Klinkner
Thomas F. Klinkner, City Attorney

Date: 10-19-15