

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5141

AN ORDINANCE AMENDING SECTION 3.12.030 OF CHAPTER 3 OF THE GRAND JUNCTION MUNICIPAL CODE CONCERNING THE IMPOSITION, COLLECTION AND ENFORCEMENT OF THE SALES AND USE TAX AND AMENDING THE TAX RATE

RECITALS:

In accordance with Article X, §20 of the Colorado Constitution the City submitted to the City electors at its April 4, 2023, election, a ballot question (Measure 1A) to increase the City sales and use tax to 3.39% beginning July 1, 2023.

The majority of City voters approved the tax increase of .14% as an exception to the revenue and spending limits of Article X, §20 of the Colorado Constitution to generate revenue to finance the costs of debt service, construction, equipping, and furnishing, and if available, operating and maintaining, an indoor community recreation center (CRC) at Matchett Park. The CRC is described in the adopted 2022 CRC Plan. With voter approval of Measure 1A and the increased sales and use tax the City will issue debt to provide financing for the costs of construction of the CRC with the debt being payable from the tax increase or any other general revenue of the City.

The City has heretofore enacted a comprehensive sales and use tax code, which is codified in Chapter 3 of the Grand Junction Municipal Code (GJMC). With this ordinance the GJMC will be amended and reflect the voter approved revenue change for the voter approved purposes.

By amending the GJMC to reflect the voter approved sales and use tax rate and recognizing that the same is an exception to the spending and revenue limits of the Constitution, the City, commencing July 1, 2023, is authorized to impose, collect, and enforce the voter approved sales and use tax increase for the approved purposes. The City Council finds that those purposes and this ordinance implementing the same are consistent with the City's Strategic Plan, the Parks and Recreation Open Space (PROS) Plan and the delivery of services, the construction, operation and maintenance of the facilities and the hiring of personnel in support of the same, and that all such actions are in support of and protective of the City's health and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That Section 3.12.030 of the Grand Junction Municipal Code shall state as follows: (**amendments are shown in bold**, deletions are shown in strikethrough)

(a) Sales Tax. There is hereby levied a tax or excise upon all sales of tangible personal property and services specified in GJMC 3.12.050. The rate levied shall be ~~3.25~~ **3.39** percent of the purchase price.

(b) Use Tax. There is hereby imposed and shall be collected from every person in the City a use tax for the privilege of storing, using, distributing, or consuming in the City any articles of tangible personal property or taxable services purchased for which no City sales tax has been paid. The rate levied shall be ~~3.25~~ **3.39** percent of the purchase price.

(d) In addition to the general sales and use tax of ~~3.25~~ **3.39** percent levied in subsection (a) of this section, there is hereby levied a special sales and use tax of six percent on the full purchase price paid or charged for tangible personal property and taxable services purchased or sold at retail by any retail marijuana store exercising a taxable privilege in the City by the sale of such property or services. Each retail marijuana store shall collect tax on every sale or transfer of retail marijuana product(s). The ~~9.25~~ **9.39** percent sales and use tax shall be collected by the vendor and remitted to the City.

All revenue derived through the general sales tax of ~~3.25~~ **3.39** percent on retail marijuana sales shall be used for general municipal purposes and/or as restricted by previous voter action.

(e) The voter approved tax of .14%, which is an exception to the revenue and spending limits of Article X, §20 of the Colorado Constitution, shall be imposed, collected, and spent to finance the costs of debt service, construction, equipping, and furnishing, and if available, operating and maintaining, an indoor community recreation center (CRC) at Matchett Park. The CRC is described in the adopted 2022 CRC Plan, and as approved by voters in April 2023 with the passage of Ballot Measure 1A. With the increased sales and use tax the City will issue debt to provide financing for the costs of construction of the CRC with the debt being payable from the tax increase or any other general revenue of the City.

Introduced on first reading this 19th day of April 2023 and ordered published in pamphlet form.

Adopted on second reading this 3rd day of May 2023 and ordered published in pamphlet form.



President of the City Council

ATTEST:



Amy Phillips
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5141 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 19th day of April 2023 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 3rd day of May 2023, at which Ordinance No. 5141 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 5th day of May 2023.



Deputy City Clerk

Published: April 21, 2023
Published: May 05, 2023
Effective: June 04, 2023

