

Chapter 135

TAXATION AND FINANCE

ARTICLE I

Fiscal Year

Section 135.010. Fiscal Year Established. [CC 1979 §21.010]

The fiscal year for the City of Diamond shall begin July first (1st) of each year and end on June thirtieth (30th) of the next succeeding year and all City budgets, audits and other statutory requirements shall be prepared on a yearly fiscal year and all required matters concerning same be required to use such dates for those statutory and other necessary purposes.

ARTICLE II

Budget

Section 135.020. Budget Required — Contents — Expenditures Not To Exceed Revenues.

- A. Prior to the commencement of each fiscal year, a budget for the City shall be prepared and the same will be presented to and approved by the Board of Aldermen.
- B. The annual budget shall present a complete financial plan for the ensuing fiscal year and shall include at least the following information:
 1. A budget message describing the important features of the budget and major changes from the preceding year;
 2. Estimated revenues to be received from all sources for the budget year with a comparative statement of actual or estimated revenues for the two (2) years next preceding itemized by year, fund and source;
 3. Proposed expenditures for each department, office, commission, and other classification for the budget year, together with a comparative statement of actual or estimated expenditures for the two (2) years next preceding itemized by year, fund, activity and object;
 4. The amount required for the payment of interest, amortization and redemption charges on the debt of the City; and
 5. A general budget summary.
- C. In no event shall the total proposed expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any

deficit estimated for the beginning of the budget year; provided, that nothing herein shall be construed as requiring the City to use any cash balance as current revenue or to change from a cash basis of financing its expenditures.

Section 135.030. Budget Officer.

- A. The budget shall be prepared under the direction of a Budget Officer. Except as otherwise provided by law or ordinance, the Budget Officer shall be designated by the Board of Aldermen of the City. All officers and employees shall cooperate with and provide to the Budget Officer such information and such records as he/she shall require in developing the budget. The Budget Officer shall review all the expenditure requests and revenue estimates, after which he/she shall prepare the proposed budget as defined herein.
- B. After the Budget Officer has prepared the proposed budget, he/she shall submit it, along with such supporting schedules, exhibits, and other explanatory material as may be necessary for the proper understanding of the financial needs and position of the City, to the Board of Aldermen. He/she shall submit at the same time complete drafts of such orders, motions, resolutions or ordinances as may be required to authorize the proposed expenditures and produce the revenues necessary to balance the proposed budget.

Section 135.040. Board of Aldermen May Revise Budget, Limits — Approval.

The Board of Aldermen may revise, alter, increase or decrease the items contained in the proposed budget, subject to such limitations as may be provided by law; provided, that in no event shall the total authorized expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year. Except as otherwise provided by law, the Board of Aldermen shall, before the beginning of the fiscal year, approve the budget and approve or adopt such orders, motions, resolutions or ordinances as may be required to authorize the budgeted expenditures and produce the revenues estimated in the budget.

Section 135.050. Increase of Expenditure Over Budgeted Amount To Be Made Only On Formal Resolution.

After the City has approved the budget for any year and has approved or adopted the orders, motions, resolutions or ordinances required to authorize the expenditures proposed in the budget, the City shall not increase the total amount authorized for expenditure from any fund, unless the Board of Aldermen adopts a resolution setting forth the facts and reasons making the increase necessary and approves or adopts an order, motion, resolution or ordinance to authorize the expenditures.

Section 135.055. Budget Calendar. [CC 1979 §21.160]

- A. The Budget Officer shall prepare the City budget in accordance with the following calendar:

1. In January of each year, the Budget Officer will collect the data necessary and make preliminary revenue estimates for the coming fiscal year. He/she will estimate expenditures for the present year and note expenditures and revenues for the previous two (2) fiscal years.
2. In February of each year, the Budget Officer will request from each City Officer a statement of expenditures requested for the coming fiscal year.
3. In March of each year, the Budget Officer will review the departmental requests and make his/her final revenue estimates for the coming fiscal year and will confer with department heads to discuss these requests.
4. In April of each year, the Budget Officer will begin assembling the City budget.
5. In May of each year, the Budget Officer will confer with the Mayor, and any such other officers as the Mayor may designate, for preparation of the City budget for the next fiscal year to be submitted to the Board of Aldermen.
6. The budget shall be submitted to the Board of Aldermen at the regular meeting in June.

ARTICLE III Levy of Taxes

Section 135.060. Board To Provide For Levy and Collection of Taxes — Fix Penalties.

The Board of Aldermen shall, from time to time, provide by ordinance for the levy and collection of all taxes, licenses, wharfage and other duties not herein enumerated and, for neglect or refusal to pay the same, shall fix such penalties as are now or may hereafter be authorized by law or ordinance.

Section 135.070. Board To Fix Rate of Levy.

The Board of Aldermen shall, within a reasonable time after the Assessor's books of each year are returned, ascertain the amount of money to be raised thereon for general and other purposes and fix the annual rate of levy therefor by ordinance.

Section 135.080. Assessment — Method of.

In the absence of a City Assessor, and until such City Assessor is duly appointed and qualified, it shall be the duty of the Mayor of the City to procure from the County Clerk of Newton County, Missouri, on or before the first (1st) day of October of each year a certified abstract from his/her assessment books of all property within the corporate limits of the City made taxable by law for State purposes, and the assessed valuation thereof as agreed upon by the Board of Equalization, which abstract shall be immediately transmitted to the Board of Aldermen, and it shall be the duty of the Board of Aldermen to establish by ordinance the rate of taxes for the year.

Section 135.090. Clerk To Prepare Tax Books.

When the Board of Aldermen shall have fixed the rate of taxation for any given year, it shall be the duty of the City Clerk to cause to be prepared appropriate and accurate tax books and shall therein set out in suitable columns, opposite the name of each person and the item of taxable property, as returned by the Assessor and Board of Equalization, the amount of taxes, whether general or special, due thereon; and shall charge the City Collector with the full amount of taxes levied and to be collected.

Section 135.100. Taxes Delinquent — When.

On the first (1st) day of January of each year, all unpaid City taxes shall become delinquent and the taxes on real estate are hereby made a lien thereon; and all such delinquent taxes shall bear interest thereon at the rate of two percent (2%) per month from the time they become delinquent, not to exceed eighteen percent (18%) per year, until paid; and shall also be subject to the same fees, penalties, commissions and charges as provided by law of the State of Missouri for delinquent State and County taxes and shall be collected from the property owners; and the enforcement of all taxes, penalties, fees, commissions and charges authorized by law and provided for herein to be paid by property owners shall be made in the same manner and under the same rules and regulations as are or may be provided by law for the collection and enforcement of the payment of State and County taxes, including fees, penalties, commissions and other charges.

ARTICLE IV
Sales Tax

Section 135.110. Sales Tax Imposed. [CC 1979 §40.010; Ord. No. 297, 1-22-2008]

From and after July 1, 1979, there shall be levied and collected a City sales tax in the sum of one percent (1%) upon all receipts from the sale at retail of all tangible personal property or taxable service at retail if such property and services are subject to taxation by the State of Missouri under the provisions of Sections 144.010 to 144.150, RSMo.

Section 135.120. Sales Tax On Residential Utilities Imposed. [Ord. No. 130 §40.020, 11-12-1979; Ord. No. 297, 1-22-2008]

- A. The municipal sales tax on all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil used for non-business, non-commercial or non-industrial purposes heretofore imposed within the corporate limits of this municipality is hereby reimposed.
1. The rate of taxation shall be, as heretofore, one percent (1%).
 2. The City Clerk is hereby directed to provide copies of this Article to all of the utilities which provide service within the corporate limits of the City and to the Director of Revenue for the State of Missouri.

Section 135.130. Transportation Tax. [Ord. No. 255 §1, 8-21-2003; Ord. No. 263 §1, 2-14-2005; Ord. No. 286, 11-13-2006; Ord. No. 298, 1-22-2008]

Pursuant to the authority granted by and subject to the provisions of Sections 94.700 to 94.755, RSMo., a tax for transportation purposes as defined in Section 94.700, RSMo., is hereby imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in Sections 144.010 to 144.510, RSMo., and the rules and regulations of Director of Revenue issued pursuant thereto. The rate of the tax shall be one-half of one percent (.5%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within Diamond, Missouri, if such property and taxable services are subject to taxation by the State of Missouri under the provisions of Sections 144.010 to 144.510, RSMo. The tax shall become effective as provided in Subsection (4) of Section 94.705, RSMo., and shall be collected pursuant to the provisions of Sections 94.700 to 94.755, RSMo.

Section 135.140. Additional Sales Tax. [Ord. No. 256 §1, 8-21-2003; Ord. No. 262 §1, 2-14-2005; Ord. No. 285, 11-13-2006; Ord. No. 298, 1-22-2008]

Pursuant to the authority granted by and subject to the provisions of Sections 94.500 to 94.570, RSMo., a tax for general revenue purposes hereby is imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in Sections 144.010 to 144.510, RSMo., and the rules and regulations of Director of Revenue issued pursuant thereto. The rate of the tax shall be one-half of one percent (.5%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Diamond, Missouri, if such property and taxable services are subject to taxation by the State of Missouri under the provisions of Sections 144.010 to 144.510, RSMo. The tax shall become effective as provided in Subsection (4) of Section 94.510, RSMo., and shall be collected pursuant to the provisions of Sections 94.500 to 94.570, RSMo. This Section shall be in addition to the one percent (1%) general sales tax previously imposed.

Section 135.150. Sales Tax For Storm Water/ Parks Imposed. [Ord. No. 331 §1, 5-10-2010 approved at 8-3-2010 election]

Pursuant to the authority granted by and subject to the provisions of Sections 644.032 to 644.033, RSMo., the City hereby imposes a tax for storm water/parks. The rate of the tax shall be one-half of one percent (0.5%).