

## **ORDINANCE #1-1994 "LOCAL OPTION SALES & SERVICE TAX"**

### TITLE:

An ordinance establishing a local option sales and service tax applicable to transactions within the incorporated areas of Elkader, Garnavillo, Marquette, St. Olaf, Millville, and Luana of Clayton County. The City of McGregor had this tax imposed in 1990 and remains in effect.

Be It Enacted by the Board of Supervisors of Clayton County, Iowa:

**SECTION 1. Local Option Sales and Services Tax.** There is imposed a local option sales and services tax applicable to transactions within the incorporated areas of Elkader, Garnavillo, Marquette, St. Olaf, Millville, and Luana, of Clayton County, Iowa.

The rate of the tax shall be one percent (1%) upon the gross receipts taxed under Chapter 422, Division IV, of the Iowa Code in the following cities of Elkader, Garnavillo, Marquette, St. Olaf, Millville, and Luana, of Clayton County, Iowa.

The local sales and services tax is imposed on transactions occurring on or after April 1, 1994, within the incorporated areas of Elkader, Garnavillo, Marquette, St. Olaf, Millville and Luana, of Clayton County, Iowa. The tax shall be collected by all persons required to collect state gross receipts taxes. However, the tax shall not be imposed on:

1. The gross receipts from the sale of motor fuel or special fuel as defined in Chapter 324 of the Iowa Code,
2. The gross receipts from the rental of rooms, apartments, or sleeping quarters which are taxed under Chapter 422A of the Iowa Code during the period the hotel and motel tax is imposed,
3. The gross receipts from the sale of natural gas or electric energy in a city or county where the gross receipts are subject to a franchise fee or user fee during the period the franchise or user fee is imposed,
4. The gross receipts from the sale of a lottery ticket or share in a lottery game conducted pursuant to Chapter 99E of the Iowa Code,
5. The sale or rental of tangible personal property described in Section 422.45, subsections 26 & 27 of the Iowa Code.

All applicable provisions of the appropriate sections of Chapter 422, Division IV, of the Iowa Code are adopted by reference.

SECTION 2. Effective Date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.