

By Lawrie
Introduced 2-22-06
PH. 3-8-06

**ADOPTED
METROPOLITAN COUNCIL**

MAR 08 2006

Brian Maynard
COUNCIL ADMINISTRATOR TREASURER

ORDINANCE 13526

AMENDING SALES AND USE TAX ORDINANCE 10127, ADOPTED DECEMBER 14, 1994, SO AS TO AMEND SECTION 2 THEREOF BY ADDING A PARAGRAPH D(5) TO LEVY A ONE-HALF OF ONE PERCENT (½%) SALES AND USE TAX FOR AN ADDITIONAL TWENTY-THREE (23) YEARS RELATIVE TO THE REPAIR, IMPROVEMENT AND CONSTRUCTION OF PUBLIC ROADS AND STREETS.

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Sales and Use Tax Ordinance 10127, adopted December 14, 1994, is hereby amended so as to amend and re-enact Section 2 thereof to add a new sub-section (d)(5), which shall read as follows:

"Section 2. Imposition of Taxes.

- d. (1) ***
- (2) ***
- (3) ***
- (4) ***
- (5) Effective January 1, 2006, the tax authorized to be levied pursuant to Section 2(d)(4) above is hereby authorized to be levied for an additional period of twenty-three (23) years, ending December 31, 2030, for the entire and exclusive purpose of providing funds for the purpose of providing funds (i) for construction of new roads in the Parish of East Baton Rouge, and (ii) for road rehabilitation and beautification projects in the Parish of East Baton Rouge, said tax to be levied upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services in the Parish of East Baton Rouge, inclusive of municipal areas, at a rate of one-half of one percent (½%). Said tax is to be utilized entirely and exclusively (1) to provide funds (70% of the proceeds of the tax)

(a) for the widening of existing public roads and streets, and/or (b) the construction of new public roads and streets, such projects within the City of Baton Rouge and the Parish of East Baton Rouge on a priority basis as described in the Transportation and Street Improvements Program dated June 8, 2005, and such projects within the City of Baker, the City of Zachary and the City of Central, on a priority basis as determined by the respective governing authority of such incorporated municipality, and (2) (a) to provide funds (27% of the proceeds of the tax) for the repair and improvement of public roads and streets, including engineering services, drainage and traffic signal synchronization, and (b) to provide funds (3% of the proceeds of the tax) for road beautification projects, including landscaping and sidewalks and the maintenance thereof, all on a priority basis, within the Parish of East Baton Rouge, the City of Baton Rouge, the City of Baker, the City of Zachary and the City of Central. Said tax is authorized to be funded into bonds from time to time for any one or more of the aforesaid capital purposes set forth in clause (1) above. Said tax is levied under the authority of Article VI, Section 29 of the Louisiana Constitution of 1974, as amended and La. R.S. 33:2721.6, and pursuant to an election held in the Parish of East Baton Rouge on October 15, 2005."

Section 2. All ordinance or parts of ordinance in conflict herewith are hereby repealed.

Section 3. This Ordinance shall become effective immediately upon adoption.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Ulysses "Bones" Addison, Lorri Burgess, Wayne Carter, Pat Culbertson, Joseph Greco, Darrell Ourso, Byron Sharper, Mickey Skyring, Martha Jane Tassin and Mike Walker.

NAYS: None.

ABSTAIN: None.

ABSENT: David Boneno and Charles Kelly.

Done, approved and adopted on this, the 8th day of March, 2006.

By: /s/ M. Brian Mayers
Council Administrator

By: /s/ Joe Greco
President Pro Tempore

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

I, M. BRIAN MAYERS, certify that I am the duly qualified and acting Council Administrator-Treasurer of the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge, the governing authority of the City of Baton Rouge and Parish of East Baton Rouge, State of Louisiana.

I further certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a meeting of said Metropolitan Council held March 8, 2006, and of an ordinance providing for the amendment of Sales and Use Tax Ordinance 10127, so as to amend Section 2 thereof by adding a Paragraph d(5) to levy a one-half of one percent ($\frac{1}{2}\%$) sales and use tax for an additional twenty-three (23) years relative to the repair, improvement and construction of public roads and streets.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City of Baton Rouge and Parish of East Baton Rouge, State of Louisiana, on this, the 8th day of March, 2006.

M. Brian Mayers, Council Administrator-Treasurer

(SEAL)