

**ORDINANCE NO. 2023-1**

**AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE III, ADMINISTRATION, CHAPTER 37 TAXATION, RELATING TO SALES AND USE TAX; EXTENDING THE IMPOSITION OF ONE AND ONE-HALF PERCENT SALES AND USE TAX UPON THE SAME TRANSACTIONS WITHIN THE CITY OF WAYNE UPON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX; PROVIDING EFFECTIVE DATE; PROVIDING TERMINATION DATE; PROVIDING DEPOSIT IN THE GENERAL FUND AND THE ALLOCATION THEREOF.**

**BE IT ORDAINED** by the Mayor and the Council of the City of Wayne, Nebraska:

Section 1. That Chapter 37 Taxation of the Municipal Code of Wayne, Nebraska, is hereby amended as follows:

37.01 Sale and Use Tax. The City of Wayne, Nebraska, shall impose a sales and use tax at the rate of 1.5% upon the same transactions within the City of Wayne, Nebraska, on which the State of Nebraska is authorized to impose a tax. (Neb. Rev. Stat. 77-27,142).

37.02 Deposit, General Fund. The proceeds of the sales and use tax levy by the City of Wayne, shall be deposited in the general fund of the City of Wayne. (Neb. Rev. Stat. 77-27,146).

37.03 Allocation of Sales and Use Tax. Revenue derived from the sales and use tax of the City of Wayne, Nebraska, deposited in the general fund of the City of Wayne, Nebraska, shall be divided as follows:

(a) for the first 1.0%:

(1) until July 1, 2024, three-fifths of one percent (0.6%) for general capital improvements over \$5,000.00 initial cost and having a useful life expectancy of more than seven years (such as fire trucks, swimming pool); two-fifths of one percent (0.4%) to fund economic activities under the Wayne Economic Development Program as described in its adopted Wayne Economic Development Plan; and

(2) from and after July 1, 2024, eighty-five hundredths of one percent (0.85%) for general capital expenditures to include, but not limited to, property development, infrastructure, fire, police, and street improvements, and fifteen hundredths of one percent (0.15%) to fund economic activities under the Wayne Economic Development Program as described in its adopted Wayne Economic Development Plan;

(b) for the last 0.5%:

(1) until all of the indebtedness evidenced by bonds of the City approved by the voters of the City of Wayne, Nebraska on November 4, 2014 (including refunding bonds issued to refund such indebtedness) are no longer outstanding and unpaid, for the purpose of paying the principal and interest of the City of Wayne, Nebraska bonds approved by the voters on November 4, 2014, in the principal amount not to exceed \$2,900,000.00 and paying costs related to such

purpose; and  
(2) from and after such date, for parks and recreation purposes for the City.

37.04 Termination Date. The first 1.5% City of Wayne, Nebraska Sales and Use Tax, shall terminate on June 30, 2039.

Section 2. Any and all provisions of the Wayne Municipal Code in conflict with this ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect after the passage, approval, and publication as provided by law.

**PASSED AND APPROVED** this 7<sup>th</sup> day of March, 2023.

THE CITY OF WAYNE, NEBRASKA,

By: \_\_\_\_\_  
Matt Eischeid, Mayor Pro Tempore

ATTEST:

\_\_\_\_\_  
City Clerk