

**PETERSBURG BOROUGH
ORDINANCE #2014-14**

**AN ORDINANCE AMENDING SECTIONS 4.28.020 AND 4.28.130 OF THE
PETERSBURG BOROUGH CODE RELATING TO THE SALES TAX EXEMPTION
FOR SENIORS, TO LIMIT THE EXEMPTION TO PURCHASES OF GROCERIES AND
RESIDENTIAL HEATING FUEL AND INSERT DEFINITIONS OF THOSE TERMS,
AND DIRECTING THAT THE AMENDMENT BE SUBMITTED TO THE VOTERS OF
THE BOROUGH**

Section 1. Classification: This ordinance is of a permanent nature and the amendment set out herein shall be codified in the Petersburg Borough Code upon ratification by the voters of the Borough.

Section 2. Purpose: The purpose of this ordinance is to amend sections 4.28.020 and 4.28.130 of the Borough Code relating to the sales tax exemption for seniors, and to direct that it be submitted to the voters of the borough for ratification.

Section 3. Substantive Provisions: The Petersburg Borough Code shall be amended as follows:

Sections 4.28.020, Definitions, and 4.28.130, Exemption for the elderly, subparagraph A(3), are amended as follows, to limit the senior citizen exemption to purchases of groceries and residential heating fuel only, and to add definitions of same, with the new language in bold and underlined:

4.28.020 – Definitions.

For purposes of this chapter, the following words and phrases have the meaning ascribed to them. . . .

“Groceries” means unprepared food and food ingredients in the same form, condition and original packaging as is commonly used by retail food stores, intended for off-premises or home preparation and human consumption. This does not include prepared food (including sales of food products sold by restaurants, cafes, bars, theaters or other like establishments that provide facilities for the on-premises consumption of food), food which is heated at the point of sale, hot or cold sandwiches, food sold on a "take-out" or "to-go" basis, beverages sold in cups, glasses or open containers, alcoholic beverages, dietary or health supplements or over-the-counter medicines.

* * *

“Residential Heating Fuel” means heating fuel purchased to heat the qualified senior citizen’s permanent place of abode.

4.28.130 - **Senior Citizen** Exemption for the elderly.

. . .

A. For purposes of this section: . . .

3. A senior citizen sales tax exemption card entitles the card holder to be exempted from borough sales tax **on purchases of groceries and residential heating fuel only**, subject to the limitations expressed in the balance of this section.

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Submission to Voters:

A. In accordance with subsection 12.02B of the Borough Charter, the Borough Clerk shall submit the amendment set out in Section 3, as a single proposition, to the voters of the borough at the next regular election to be held on October 7, 2014.

B. The proposition to be submitted to the voters shall read substantially as follows:

Proposition #4
Limiting the Senior Citizen Sales Tax Exemption to Groceries and Heating Fuel

Shall Ordinance #2014-14, limiting the senior citizen sales tax exemption to the purchase of groceries and residential heating fuel, and further defining groceries and residential heating fuel, be ratified (adopted) by the voters?

☐ Yes

☐ No

Section 6. Effective Date: The amendment set forth in this ordinance, if ratified (approved) by the majority of the qualified voters of the borough voting on the question, shall be effective January 1, 2015.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this _____ day of July, 2014.

Mark Jensen, Mayor

ATTEST:

Kathy O'Rear, Clerk

Adopted:
Published:
Effective: Upon Adoption