

**ORDINANCE NO. 5639**

**AN ORDINANCE TO ADD STREETS AS A PERMISSIBLE EXPENDITURE FROM THE UTILITY SUPPORT FUND BY AMENDING SECTION 3.16.060 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City of Rapid City has previously adopted an ordinance creating the Utility Support Fund which is funded by a portion of the City's sales tax; and

WHEREAS the Rapid City Common Council has determined that there is a greater need for street maintenance that the current funding allows; and

WHEREAS, the Utility Support Fund has an available balance that is not currently being used for utility related work; and

WHEREAS, it appears that using a portion of the funds contained in the Utility Support Fund would be in the best interest of the welfare of the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 3.16.060 of the Rapid City Municipal Code be and hereby is amended to read as follows:

**3.16.060 Use of revenues.**

~~A. Prior to July 1, 2005, revenue generated by this chapter shall be used as follows:~~

~~1. One half of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be deposited in the city's General Fund, and may be used for any lawful purpose.~~

~~2. One quarter of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be deposited in the Rapid City Economic Development and Civic Improvements Fund, and may be used for the lawful purposes as set out in § 3.16.020 of the Rapid City Municipal Code.~~

~~3. One quarter of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be used only for streets, drainage, parks and permitted facilities therein, municipal buildings, and other capital improvements in accordance with § 3.16.090 of the Rapid City Municipal Code.~~

~~4. All of the revenues generated by the tax levied by § 3.16.040 shall only be used for the purposes permitted by SDCL § 10-52A-2.~~

~~B. After July 1, 2005, revenue generated by this chapter shall be used as follows:~~

~~1~~**A.** Eight percent of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be deposited in the city's Utility Support Fund, and shall be used for the construction, operation and maintenance of the city's utility facilities **and streets**.

~~2~~**B.** Forty-six percent of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be deposited in the city's General Fund, and may be used for any lawful purpose.

**3C.** Twenty-three percent of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be deposited in the Rapid City Economic Development and Civic Improvements Fund, and may be used for the lawful purposes as set out in § 3.16.020 of the Rapid City Municipal Code.

**4D.** Twenty-three percent of the revenue generated by the tax levied by §§ 3.16.010 and 3.16.050 shall be used only for streets, drainage, parks and permitted facilities therein, municipal buildings, and other capital improvements in accordance with § 3.16.090 of the Rapid City Municipal Code.

**5E.** All of the revenues generated by the tax levied by § 3.16.040 shall only be used for the purposes permitted by SDCL § 10-52A-2.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective: