

ORDINANCE NO. 5026

An Ordinance amending the McMinnville Municipal Code provisions incorporating a Local Transient Lodging Tax (Ordinances No. 5003, 4994, 4974 and 4970)

RECITALS:

On June 11, 2013, the McMinnville City Council passed Ordinance No. 4970, implementing a Local Transient Lodging Tax. Three subsequent amendments to the ordinance were adopted through Ordinance Nos. 4974, 4994, and 5003. Ordinance 4970, as amended, is codified in the McMinnville Municipal Code (MMC) at Chapter 5.10.

On May 23, 2017, the City's Destination Marketing Organization, Visit McMinnville, requested that the City consider revising MMC Chapter 5.10, by including RV Parks and campgrounds in the definition of transient lodging providers subject to the Transient Lodging Tax, and by increasing the amount of the tax from 8% to 10%.

The proposed changes would generate additional revenue that would be used to promote tourism within McMinnville and would support the City's general fund services that benefit McMinnville citizens and guests.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

1. The language set forth in the attached Exhibit 1, is incorporated into this Ordinance by this reference.
2. This Ordinance amends and supersedes Ordinances 4970, 4974, 4994, and 5003.
3. The provisions of McMinnville Municipal Code Chapter 5.10 that are not expressly amended by this Ordinance shall remain in effect.
4. The amendments to MMC 5.10.010 will take effect January 1, 2018.
5. The amendments to MMC 5.10.020 will take effect August 1, 2017.

Passed by the Council this 13th day of June 2017, by the following votes:

Ayes: Drabkin, Garvin, Jeffries, Stassens, Ruden

Nays: _____

Approved this 13th day of June, 2017.

Effective Date: _____



MAYOR

Attest:

Approved as to form:



CITY RECORDER



CITY ATTORNEY

EXHIBIT 1
ORDINANCE NO. _____

Language proposed for deletion is shown [~~in brackets in struck through~~]. Language to be added is shown **in bold and underlined**.

Chapter 5.10

LOCAL TRANSIENT LODGING TAXES

5.10.010 Definitions. For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- E. "Lodging" means "Transient Lodging as defined by ORS 320.300, except that "Lodging" shall not include dwelling units at nonprofit facilities~~[,] or~~ **or** dormitory rooms used for educational purposes~~[,] camping sites, and recreational vehicle sites~~.

5.10.020 Tax imposed. For the privilege of Occupancy in any Lodging, each Occupant shall pay a Tax in the amount of [~~eight~~] **ten** percent (~~[8]~~**10**%) of the Rent charged by the Transient Lodging Tax Collector. The Tax constitutes a debt owed by the Occupant to the City, which is extinguished only by payment to the Transient Lodging Tax Collector at the time the Rent is paid. The Transient Lodging Tax Collector shall enter the Tax on the Tax Collector's records when the Rent is collected. If the Rent is paid in installments, a proportionate share of the Tax shall be paid by the Occupant to the Tax Collector with each installment. If for any reason the Tax due is not paid to the Tax Collector, the Finance Director may require that the Tax be paid directly to the City. The Tax must be computed on the total retail price, including all charges other than taxes, paid by a person for occupancy of the Transient Lodging.