

COUNCIL BILL NO. 2000-048

ORDINANCE NO. 2000-148

AN ORDINANCE amending Section 30-252, Tax levied., of the Joplin City Code, to provide for the increase of the Occupational License Tax on the gross rental receipts derived from transient guests for sleeping accommodations of Two Percent (2%) to Four Percent (4%), and, amending Section 30-257, Use of tax funds., to establish a mechanism for the allocation by the Council of the additional funds received, pursuant to the increased Occupational License Tax; submitting to the voters of the City of Joplin, the Proposition of increasing the Occupational License Tax on hotels, motels, or tourist courts, as described herein, at the November 7, 2000 Municipal Election; and containing an emergency clause.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Section 30-252, Tax levied., of Division 6., of Article III, of Chapter 30, of the Joplin City Code be amended to read as follows:

"Chapter 30, Businesses.

...

Article III. Licenses.

...

Division 6. Hotels, Motels and Tourist Courts.

...

Sec. 30-252. Tax levied.

Every person engaging in the business of renting, leasing or letting living quarters, sleeping accommodations, rooms or a

part thereof in connection with any hotel, motel or tourist court shall pay to the city a License Tax equal to four percent (4%) of the gross rental receipts derived from or paid by transient guests for sleeping accommodations."

Section 2. That Section 30-257, Use of tax funds., of Division 6. of Article III, of Chapter 30, of the Joplin City Code be amended to provide for a mechanism for the expenditure of the additional funds collected pursuant to the additional Occupational License Tax so that Section 30-257, Use of tax funds., shall read as follows:

"Chapter 30, Businesses.

...

Article III. Licenses.

...

Division 6. Hotels, Motels and Tourist Courts.

...

Sec. 30-257. Use of tax funds.

(a) All funds collected pursuant to the provisions of this division, less administrative costs not to exceed three percent (3%), shall be used exclusively with the approval of the city manager or his designee, to promote tourism, conventions and other related activities in the city. Any unappropriated balance in the fund which exceeds twenty-five thousand dollars (\$25,000.00) at the end of any fiscal year may be transferred by the City Council to the General Fund for such purposes as the City Council may decide.

(b) Notwithstanding anything contained in sub-paragraph (a) above, one-half ($\frac{1}{2}$) of the funds collected after the increase of the Occupational License Tax as established by this article from two percent (2%) to four percent (4%), shall be allocated by the

Council by Ordinance utilizing the following procedure:

(i) The Convention & Visitors Advisory Board shall establish a procedure wherein the Board shall annually, not later than July 31st of each year, recommend to the City Manager and to the City Council, the appropriation of the funds described herein. In recommending the use of the funds, the Board shall consider the most appropriate use of the funds to promote sports marketing for regional, national, and international sporting events, beautification of entryways into the City, special events, such as displays, festivals or celebrations intended to attract visitors from the region to the City, and other related activities in the City designed to promote the City of Joplin, and its features, as a destination for outside visitors and tourists.

(ii) The Council shall, after Public Hearing held prior to the adoption of the budget, adopt an Ordinance to allocate said funds among those applicants for the same based upon the Council's determination as to the most appropriate use of said funds to promote tourism, conventions and related activities."

Section 3. That there shall be a Municipal Election held in the City of Joplin in the several voting precincts of said City on the 7th day of November, 2000, for the purpose of submitting this ordinance and other matters to the registered voters of the City of Joplin. The polling places for the City election will open at 6:00 A.M. and close at 7:00 P.M., on Tuesday, November 7, 2000.

A complete and detailed description of the locations of each and all of said polling places and all of said precincts of said City in Jasper and Newton Counties, State of Missouri, will be set out in a Notice to be published by the County Clerks of said Jasper and Newton Counties according to law.

Section 4. The City Clerk is hereby directed to deliver to the County Clerks a Notice of Election for publication as required by State Statutes in a newspaper of general

circulation in Joplin, Missouri, that at the Municipal Election to be held on the 7th day of November, 2000, in the City of Joplin, there will be submitted to the electors of the City at such election the proposed ordinance and the Proposition to increase the Occupational License Tax on hotels, motels, and tourist courts in the City from two percent (2%) to four percent (4%), of the gross rental receipts derived from or paid by transient guests for sleeping accommodations as defined by the Joplin City Code. The Notice of election shall be published twice; the first publication occurring in the second week prior to the election and the second publication occurring within one week prior to the election.

Section 5. The City Clerk shall canvas the results of the election as verified by the Jasper and Newton County Clerks and report the same to the Council at the next scheduled Council Meeting following the election.

Section 6. The Proposition shall be submitted to the electors of the City of Joplin at said election upon a Ballot in substantially the following form:

"

OFFICIAL BALLOT

CITY OF JOPLIN HOTEL/MOTEL LICENSE TAX INCREASE Election - Tuesday, November 7, 2000

Shall the following Proposition be adopted?

- Yes
- No

PROPOSITION

"SHALL THE CITY OF JOPLIN INCREASE THE OCCUPATIONAL LICENSE TAX ON HOTEL, MOTEL, OR TOURIST COURTS IN THE CITY FROM AN AMOUNT EQUAL TO TWO PERCENT (2%) TO FOUR PERCENT (4%) OF THE GROSS RECEIPTS DERIVED FROM OR PAID BY TRANSIENT

GUESTS FOR SLEEPING ACCOMMODATIONS AS THE SAME IS SET FORTH IN ORDINANCE NO. 2000-148, PASSED BY THE COUNCIL ON THE 29TH DAY OF AUGUST, 2000."

Instructions to Voters

If you are IN FAVOR OF the Question, punch a hole in the box opposite "YES".

If you are OPPOSED to the Question, punch a hole in the box opposite "NO". "

Section 7. That this Ordinance shall not become effective unless a majority of the ballots cast in the Election ordered in Section 2. of this Ordinance are "Yes" votes, and, in such event, the Occupational License Tax imposed by Section 30-252 of the Joplin City Code, as increased, shall become effective on the 1st day of the first calendar quarter after said vote, to-wit: January 1, 2001.

Section 8. That this Ordinance calling for an Election providing for the submission of a Proposition to the people, and, as such, is an emergency within the meaning of Section 2.12(2) of the Home Rule Charter of the City of Joplin, Missouri, and, as such, shall be in full force and effect immediately upon its passage and approval.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, THIS
29th day of August, 2000, by a 9-0 vote.

Darieus K. Adams
Mayor

ATTEST:

Barbara L. Hogelin

City Clerk

APPROVED AS TO FORM:

**Chuck D. Brown
City Attorney**