

ORDINANCE 21-23

AN ORDINANCE AMENDING TITLE 5 OF THE SPRINGFIELD MUNICIPAL CODE BY ENACTING A PRIVILEGE TAX UPON THE OCCUPANCY IN ANY HOTEL OR MOTEL

Whereas, Public Chapter 496 amending Tenn. Code Ann. §67-4-1402 authorizes the City of Springfield to levy by ordinance a hotel/motel tax up to four percent (4%) of the consideration charged to a transient by the hotel operator; and

Whereas, Article IV, Section 13 of the Charter of the City of Springfield requires taxes to be levied by ordinance; and

Whereas, Public Chapter 496 requires the proceeds of which can be utilized by the City of Springfield for the promotion of tourism and tourism development as defined in Tenn. Code Ann. §67-4-1401; and

Whereas, it is deemed in the best interest of the City of Springfield to levy a four percent (4%) Hotel/Motel Occupancy Tax, the proceeds of which will be dedicated solely for the promotion of tourism and tourism development in the City of Springfield; and

Whereas, the City of Springfield desires to enact such a tax to promote the economic growth of the city through tourism.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of Springfield, Tennessee as follows:

Section 1. Title 5 of the Springfield Municipal Code is hereby amended by adding a new chapter entitled "Chapter 5, Hotel/Motel Occupancy Tax" to read as set forth in Exhibit A attached.

Section 2. All ordinances, resolutions, and policies in conflict herewith are rescinded to the extent of the conflict only.

Passed on 1st reading July 20, 2021

Passed on 2nd reading August 17, 2021

Passed on 3rd reading September 21, 2021



Ann Schneider, Mayor



Lisa H. Crockett, City Recorder

CHAPTER 5

HOTEL/MOTEL

OCCUPANCY TAX

SECTION

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5-501. Definitions. Whenever used herein, unless the context requires otherwise:

(1) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever;

(2) "Hotel" means any structure or space, or any portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any privately, publicly, or government-owned hotels, inns, tourist camps, tourist courts, tourist cabins, motels, short-term rental units, primitive and recreational vehicle campsites and campgrounds, or any place which rooms, lodgings, or accommodations are furnished to transients for consideration;

(3) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings, or accommodations in any hotel;

(4) "Operator" means the person operating the hotel whether as owner, lessee, or otherwise;

(5) "Person" means any individual, firm partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit; and

(6) "Transient" means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations in a hotel for a period of less than thirty (30) continuous days.

5-502. Permit required. No person will conduct, keep, manage, operate or cause to be conducted kept, managed or operated, either as owner, lessor, agent or attorney, any hotel in the city without having obtained a permit for same from the city manager or his designee.

5-503. Fee. The fee for each hotel permit will be twenty-five dollars (\$25.00).

5-504. Not Transferable. No permit issued under this ordinance shall be transferred or assigned.

5-505. Duration. Hotel permits shall be issued annually and shall expire on the last day of December of each year.

5-506. Register Required; Availability for Inspection. Every person to whom a permit is issued under this section shall at all times keep a standard hotel register, in which shall be inscribed the names of all guests renting or occupying rooms in his hotel. Such register shall be signed in every case by the person renting a room or by someone under his direction, and after registration is made and the name of the guest is inscribed as herein provided, the manager shall write the number of the room such guest is to occupy, together with the time such room is rented, before such person is permitted to occupy such room. The register shall be open to inspection at all times to the city manager or his designee.

5-507. Rooms to be numbered. Each sleeping room and apartment in every hotel in the city shall be numbered in a plain and conspicuous manner. The number of each room shall be placed on the outside of the door of such room, and no two (2) doors shall bear the same number.

5-508. Privilege tax levied; use.

(1) Pursuant to the provisions of Tenn. Code Ann. §67-4-1401 and as Amended by Public Chapter 496, there is hereby levied a privilege of occupancy tax in any hotel of each transient. From and after the operative date of this ordinance the rate of the levy shall be four percent (4%) of the consideration charged by the operator. This privilege tax shall be collected pursuant to and subject to the provisions of state law. The city manager or his designee shall be designated the authorized collector to administer and enforce this Ordinance.

(2) The proceeds received from this tax shall be available for the city's general fund and are to be dedicated solely for the promotion of tourism and tourism development within the City of Springfield. Proceeds of this tax shall not be used to provide a subsidy in any form to any hotel or motel.

5-509. Payment of the tax. Payment of the tax by the hotel to the city shall be no later than the 20th day of each month for the preceding month.

5-510. Interest and penalty for late payment. The hotel operator is responsible for paying interest on delinquent taxes, from the due date at the rate of twelve percent (12%) per annum, plus a penalty of one percent (1 %) for each month or fraction thereof such taxes are delinquent.

5-511. Records requirement. The hotel operator shall maintain such records as may be necessary to determine the amount of such tax for which the operator may have been liable for the collection of taxes for three (3) years thereafter, with the right of inspection by the City.