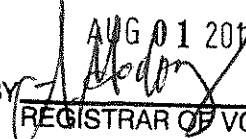


FILED

AUG 01 2014
BY  DEPUTY
REGISTRAR OF VOTERS

ORDINANCE NO. 560-AC

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF NEEDLES,
CALIFORNIA AMENDING CHAPTER 20, ARTICLE III "TRANSIENT
OCCUPANCY TAX" OF THE CITY OF NEEDLES MUNICIPAL
CODE TO INCREASE THE RATE OF THE CITY'S EXISTING
TRANSIENT OCCUPANCY TAX FROM TEN PERCENT (10%) TO
TWELVE PERCENT (12%), AND ADDING THE DEFINITION OF
"COMMERCIAL ESTABLISHMENT"**

WHEREAS, the current recession has resulted in a decline in City revenues, jeopardizing the community, its residents, and general City services; and

WHEREAS, the City of Needles Municipal Code currently includes a transient occupancy tax of ten percent (10%) of operators' gross monthly receipts received from transient lodgers, as defined in the Chapter 20, Article III of the Municipal Code ("Transient Occupancy Tax Code"); and

WHEREAS, certain establishments are currently exempt from the provisions of the Transient Occupancy Tax Code; and

WHEREAS, the City Council wishes to help defray the costs of general City services and expenses by increasing the current transient occupancy tax from ten percent (10%) to twelve percent (12%); and

WHEREAS, the City Council wishes to provide for the uniform implementation of the transient occupancy tax by adding the definition of "Commercial establishment" as defined herein ; and

WHEREAS, the City Council HEREBY FINDS AND DETERMINES that this activity is not subject to the California Environmental Quality Act ("CEQA") as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. (14 C.C.R. § 15060 (c)(2).); and

WHEREAS, the City Council HEREBY FINDS AND DETERMINES that it is in the interests of the health, safety and general welfare of the City and its residents to approve an amendment to the City of Needles Municipal Code ("Code").

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF NEEDLES DO HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 20, Article III "Transient Occupancy Tax" of the City of Needles Municipal Code to read as amended as follows:

Article III. Transient Occupancy Tax.

Amending Sec 20-8 Tax Levied

Every operator of a hotel, motel, apartment hotel, apartment motel, trailer court, recreational vehicle park, or any other commercial establishment furnishing lodging space in exchange for monetary compensation, located within the city, shall pay an transient occupancy tax of twelve percent (12%) which shall be based on the operators' gross monthly receipts received from transient lodgers.

Adding to Sec 20-8.2 Definitions

(h) "Commercial establishment" shall include any home, residential dwelling or structure of any kind, including short term rentals, furnishing lodging space to transient lodgers in exchange for monetary compensation.

Amending Sec. 20-9. Submittal of report; remittal of collections

Every operator shall submit a report of its gross monthly income and submit twelve percent (12%) of its gross monthly income to the city clerk, within thirty days after the end of each calendar month.

Amending Sec. 20-10. Penalty for delinquent reports and remittals

In the event that the gross monthly income is not reported and twelve percent (12%) thereof remitted to the city clerk as provided in this article, then any person so violating this article shall pay as a penalty thereof ten percent in addition to the above twelve percent (12%) levy, after thirty days; after sixty days delinquency an additional ten percent shall be added to both delinquency and penalty; and after ninety days delinquency an additional ten percent shall be added to both delinquency and penalty. If such levy is not then paid, an additional sum of one percent per month shall be paid on all delinquent amounts accrued.

SECTION 2 Effective Date. If adopted by the voters at the November 4, 2014 election, this Ordinance shall be in full force and effect ten (10) days after the vote is declared by the legislative body, pursuant to the provisions of Elections Code sections 9217 and 15400 and as provided by law.

SECTION 3. The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in a newspaper of general circulation printed and published within the City of Needles, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code section 36933.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Needles, California, approve an amendment to the City Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Needles, California, held on the 8th day of July, 2014, by the following roll call vote:

AYES: COUNCIL MEMBERS LOPEZ, KIDD, CAMPBELL, DARCY AND GUDMUNDSON
NOES: NONE
ABSENT: COUNCIL MEMBER FRAZIER
ABSTAN: NONE

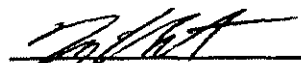


Mayor Edward Paget, M.D.

Attest: 

City Clerk (Seal)

Approved as to form:



City Attorney y