

*Prepared by
Paul City Council
Don Bourne
PO Box 428, City*

ORDINANCE NO. 1692

AN ORDINANCE ESTABLISHING A ONE AND ONE-HALF PERCENT (1-1/2%) TAX UPON THE GROSS RECEIPTS OF HOTELS AND MOTELS IN THE CITY OF RUSSELLVILLE, ARKANSAS FOR THE CITY'S ADVERTISING AND PROMOTIONAL NEEDS, AND FOR OTHER PURPOSES.

WHEREAS, the City Council has determined that there is a need to advertise and promote the City of Russellville, Arkansas; and

WHEREAS, the levy of a hotel and motel tax is essential to the development of advertising and promotion of the City of Russellville; and

WHEREAS, the City is authorized under Arkansas Code Annotated Sections 26-75-601 through 26-75-613 as amended, to levy a gross receipts tax of one and one-half percent (1-1/2%) upon the gross receipts of hotels, motels and lodging establishments within the city limits; and

WHEREAS, under ACA, section 26-75-602, as amended, the City is authorized to create an Advertising and Promotion Commission to collect and determine use of the tax funds collected.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RUSSELLVILLE, ARKANSAS:

SECTION 1: (a) A tax of one and one-half percent (1-1/2%) is hereby levied on the portion of the gross receipts or gross proceeds received from the renting, leasing or otherwise furnishing of hotel, motel or short term condominium rental accommodations or sleeping, meeting or party room facilities for profit in the City of Russellville, Arkansas, but such accommodations shall not include the rental or lease of such accommodations for periods of thirty (30) days or more; and

SECTION 2: (a) The one and one-half percent (1-1/2%) tax described in this ordinance hereof shall be paid by the persons, firms, and corporations liable therefor and shall be collected by the Advertising and Promotions Commission of the City of Russellville (herein after called the "Commission"), or by a designated agent of the Commission, in the same manner and at the same time as the tax is levied by the Arkansas Gross Receipts Act, ACA 26-52-101, et. seq. (ACA section 26-75-603 (a)(1).

(b) The person paying the tax shall report and remit said tax on forms provided by the Commission and as directed by the Commission. The rules, regulations, forms of notice, assessment procedures, and the enforcement and collection of the tax under the Arkansas Gross Receipts Act shall, so far as practicable, be applicable with respect to the enforcement and collection of the tax levied pursuant to the authority of

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ACA section 26-75-603. The administration and enforcement, and all actions shall be by and through the proper Commission officials or agents.

SECTION 3: (a) There is hereby created the City of Russellville Advertising and Promotions Commission, which shall be composed of seven (7) members, each of whom shall reside within the city, as follows:

1. Four (4) members shall be owners or managers of a business in the tourism industry, at least three (3) of whom shall be owners or managers of hotels, motels or restaurants, and who shall serve for staggered terms of four (4) years; and

2. Two (2) members of the Commission shall be members of the governing body, selected by the governing body and shall serve at the will of the governing body; and

3. One (1) member shall be from the public at large and shall be nominated by the Mayor of the City and approved by the City Council of the City for a term of four (4) years, in accordance with the applicable Arkansas law.

(b) The four (4) tourism industry positions provided for in subdivision (a)(1) of ACA section 26-75-605(a)(1) shall be filled by appointment made by the City Council of the city for staggered terms so that:

- (A) one (1) member will serve for a term of one (1) year;
- (B) one (1) for a term of two (2) years;
- (C) one (1) for a term of three (3) years; and
- (D) one (1) for a term of four (4) years.

All successors to these members shall be appointed for a term of four (4) years. Vacancies on the commission, whether resulting from expiration of a regular term or otherwise, in any of the four tourism industry positions or in the at-large position shall be filled by appointment made by the remaining members of the commission, with the approval of the governing body of the city.

SECTION 4: (a) All local taxes collected pursuant to this ordinance shall be used for the following purposes:

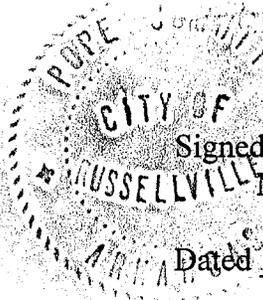
1. The use or pledge of all, or any part of, the revenues derived from the tax for the purposes prescribed in this ordinance shall be for the advertising and promotion of the city of Russellville, Arkansas. This revenue shall be used or pledged for the purposes authorized in this ordinance and in accordance with ACA Section 26-75-606 only upon the recommendation of the Commission.

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SECTION 5: If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provision of this ordinance are declared severable.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

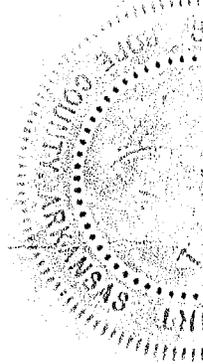
SECTION 7: This ordinance shall be effective upon passage and publication.



Signed Ray Turner
Mayor Ray Turner
Dated September 21, 2000



Attest Helen Price
Helen Price, City Clerk



CLERK'S CERTIFICATE OF RECORD
STATE OF ARKANSAS - COUNTY OF POPE
I, JOANITA BARBER, Circuit Clerk and Recorder of the County aforesaid do hereby certify that this instrument was filed for record the 2 day of Oct 2000 at 2:28 o'clock P.M. and the same is now duly recorded in Record Book 30D Page 536-538 Witness my hand and the seal of said court this the 2 day of Oct 2000
Joanita Barber - Circuit Clerk and Recorder
By Ann Smith

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