

ORDINANCE NO. 16-23

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 17, BY ADDING A NEW SEC. 17-17 TO THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND PERTAINING TO HOTEL OCCUPANCY TAX (“HOT”) BY ADDING A NEW VENUE TAX WHICH SHALL INCREASE THE HOT BY 2%; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE; AND PROVIDING FOR PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island City Council (the "City Council") sought approval from the voters of a venue project as authorized by Chapter 334 of the Texas Local Government Code; and

WHEREAS, the City called a special tax election to submit a measure to the voters providing for the imposition of a hotel occupancy tax to be used for a venue project, and the votes passed the measure; and

WHEREAS, the Code of Ordinances of the City of South Padre Island needs to be amended to reflect the recent changes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. Chapter 17 of the Code of Ordinances of the City of South Padre Island is amended by adding a new section, Sec. 17-17, as follows:

“ Sec. 17-17 Venue Tax on hotel-motel occupancy tax.

a) There is hereby levied an additional venue tax of two (2%) percent, which is in addition to the hotel-motel occupancy tax already levied, on a person who, under lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs Two Dollars (\$2.00) or more each day, and is ordinarily used for sleeping.

b) The administration and enforcement of this venue tax shall be in accordance with the hotel-motel occupancy tax provisions contained in Chapter 17, Article II.

c) The maximum combined hotel occupancy tax rate from all sources cannot exceed seventeen (17%) percent per Local Government Code 334.254.

d) Each bill or receipt for a hotel charge shall comply with Local Government Code 334.256 and conspicuously state the applicable hotel occupancy tax rate collected for the State and the tax rate and identity of each other taxing authority that has imposed a hotel occupancy tax.”

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court

of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 5. This Ordinance shall become effective when published in summary form or by publishing its caption.

PASSED, APPROVED AND ADOPTED on First Reading, the 16th day of November 2016 at a Special called City Council meeting.

PASSED, APPROVED AND ADOPTED on Second Reading, the 16th day of November 2016 at a Regular City Council meeting.

ATTEST:

CITY OF SOUTH PADRE ISLAND, TEXAS



SUSAN HILL, CITY SECRETARY



BHARAT R. PATEL, MAYOR

