

CHARTER ORDINANCE NO. 39

A CHARTER ORDINANCE OF THE CITY OF LAWRENCE, KANSAS RELATING TO A TRANSIENT GUEST TAX LEVY FOR THE CITY OF LAWRENCE, KANSAS AND CONTINUING THE EXEMPTION OF SAID CITY FROM THE PROVISIONS OF SECTIONS 12-1697 OF KANSAS STATUTES ANNOTATED, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT

Whereas, Charter Ordinance No. 36 exempts the City of Lawrence from the provisions of Section 12-1697 (a) and Section 12-1697 (d) of the Kansas Statutes Annotated and amendments thereto; and

Whereas, the City desires to increase the transient guest tax established pursuant to Charter Ordinance No. 36 from five percent (5%) to six percent (6%);

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION I. The City of Lawrence, Kansas, a City of the first class, duly organized, created and existing under and by virtue of the laws of the State of Kansas, pursuant to the authority of Article 12, Section 5 of the Constitution of the State of Kansas hereby elects to and does exempt itself from and make inapplicable to it the provisions of Section 12-1697 (a) and Section 12-1697 (d) of the Kansas Statutes Annotated and amendments thereto. K.S.A. 12-1697 is part of an enactment which does not apply uniformly to all cities.

SECTION II. In substitution of the provisions of Section 12-1697 (a) and Section 12-1697 (d) of the Kansas Statutes Annotated and amendments thereto, the Governing Body of the City of Lawrence, Kansas, hereby adopts the following provisions:

A transient guest tax shall be levied in the City of Lawrence, Kansas, of six percent (6%) upon the gross receipts derived from or paid directly or through an accommodations broker by transient guests for sleeping accommodations, exclusive of charges for incidental services or facilities, in any hotel, motel, or tourist court.


SECTION III. Upon the effective date of this Charter Ordinance, Charter Ordinance No. 36 is hereby repealed. It being the intent of this Charter Ordinance to supersede the repealed ordinance.

SECTION IV. This Charter Ordinance shall be published once each week for two consecutive weeks in the Official City Newspaper.

SECTION V. This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the Ordinance as provided in Article 12, Section 5, Subdivision (c), (3) of the Constitution of Kansas, in which case the Ordinance shall become effective if approved by a majority of the electors voting thereon.


Passed by the governing body of the City of Lawrence, Kansas, not less than two-thirds of the members-elect voting in favor thereof, the 18th day of August 2009.

PASSED



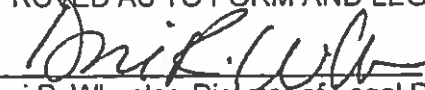
Robert Chestnut, Mayor

ATTEST:



Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:



Toni R. Wheeler, Director of Legal Department