

CHARTER ORDINANCE NO. FORTY-SIX

(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance.)

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM THE PROVISIONS OF SUB-PARAGRAPH (a) OF KSA 12-1697, WHICH RELATE TO THE LEVY OF A TRANSIENT GUEST TAX, TO THE MAXIMUM RATE THEREOF, AND TO THE PURPOSES FOR WHICH SUCH TRANSIENT GUEST TAX MONIES MAY BE SPENT; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS; REPEALING CHARTER ORDINANCE NO. THIRTY-NINE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. The City of Overland Park, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it the provisions of sub-paragraph (a) of KSA 12-1697 relating to the levy of a transient guest tax, to the maximum rate thereof, and to the purposes for which such transient guest tax monies may be spent. Such referenced sub-paragraph (a) of KSA 12-1697 is applicable to this City but not uniformly applicable to all cities.

SECTION 2. In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Overland Park, Kansas, is hereby authorized to levy a transient guest tax at not to exceed the rate of five percent (5%) upon the gross receipts derived from or paid by transient guests for sleeping accommodations, exclusive of charges for incidental services or facilities, in any hotel, motel or tourist court; provided however, transient guest tax reserve fund revenues may be used, upon annual review and approval of the Governing Body, to fund economic development activities and the amount which may be expended from said reserve fund may not annually exceed \$50,000. The percentage of such tax shall be determined by the Governing Body and shall be specified in the resolution authorizing the same.

SECTION 3. Charter Ordinance No. Thirty-Nine is hereby repealed.

SECTION 4. This ordinance shall be published once each week for two consecutive weeks in the Overland Park Sun, an official City newspaper.

SECTION 5. This is a Charter Ordinance and shall take effect 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 of the Constitution of the State 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 Overland Park, Kansas, not less than two-thirds of the members elect voting in favor thereof, this 6th day of June, 1988.

Charter Ordinance No. Forty-Six

Ed Eilert, Mayor

ATTEST:

Bernice Crummett, City Clerk/Finance Director

John S. Anderson, Assistant City Attorney

Passed: 6/6/88

Published: 6/10/88

6/17/88

Effective: 8/17/88

Entire ordinance repealed by Charter Ordinance No. Seventy