

ORDINANCE NO. 2004

AN ORDINANCE AMENDING CITY OF DANVILLE CODE OF ORDINANCES CHAPTER 16 (TAXATION) ARTICLE IV (TRANSIENT TAX) TO CLOSE THE COLLECTION GAP THAT PREVIOUSLY OMITTED ONLINE TRAVEL COMPANIES.

WHEREAS, the Kentucky General Assembly recently passed House Bill 8 to close a long-standing transient room tax collection gap that omitted online travel companies; and

WHEREAS, effective Jan. 1, 2023, cities that impose a transient room tax to fund a tourist and convention commission can now assess their transient room tax on rental accommodations facilitated by online travel companies pursuant to KRS 91A.345 and KRS 91A.390(1)(b); and

WHEREAS, all short-term rentals, brokers, and companies that arrange rental accommodations within city boundaries are now responsible for collecting the tax; and

WHEREAS, the Board of Commissioners of the City of Danville, Kentucky, find it necessary and appropriate to amend the transient tax ordinance in Section 16-66 and 67 to incorporate the changes effectuated by the passage of House Bill 8 and codified in KRS 91A.345 and KRS 91A.390(1)(b);

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DANVILLE, KENTUCKY, as follows:

SECTION ONE:

Section 16-66 (Levy) in Article 16 (Taxation) of the City of Danville Code of Ordinances is hereby amended to read as follows:

(a) The imposition and collection of the transient room tax shall be on the day beginning April 1, 1984 and each day thereafter.

(b) The imposition and levy of a transient room tax of three (3) percent of the rent of every occupancy of a suite, room or rooms, charged by all persons, companies, corporations or other like or similar persons, groups or organizations doing business as motor courts, motels, hotels, inns or like or similar accommodations or businesses, as approved, shall apply to transient guests who occupy a room in motor courts, motels, hotels, inns or like or similar accommodations. This tax shall be charged on all occupancies, regardless of the length of occupancy.

(c) The taxes imposed in this section shall be imposed on the rent for every occupancy of a suite, room, rooms, cabins, lodgings, campsites, or other accommodations charged by any hotel, motel, inn, tourist camp, tourist cabin, campgrounds, recreational vehicle parks, or any other place in which accommodations are regularly furnished to transients for consideration or by any person that facilitates the rental of the accommodations by brokering, coordinating, or in any other way arranging for the rental of the accommodations.

SECTION TWO:

Section 16-67 (Collection by businesses) in Article 16 (Taxation) of the City of Danville Code of Ordinances is hereby amended to read as follows:

All persons doing business as ~~motor courts, motels, hotels, inns or like or similar accommodation businesses~~ involving the rent for occupancy of a suite, room, rooms, cabins, lodgings, campsites, or other accommodations charged by any hotel, motel, inn, tourist camp, tourist cabin, campgrounds, recreational vehicle parks, or any other place in

which accommodations are regularly furnished to transients for consideration or by any person that facilitates the rental of the accommodations by brokering, coordinating, or in any other way arranging for the rental of the accommodations, shall collect and pay the transient room tax.

SECTION THREE: This ordinance is effective as of January 1, 2023, after two successful readings and publication in the Advocate-Messenger.

SECTION FOUR: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

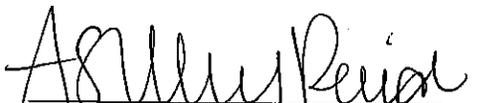
GIVEN FIRST READING AND PASSED ON 11.14.2022.

GIVEN SECOND READING AND PASSED ON 11.28.2022.

APPROVED:


G. MICHAEL PERROS,
MAYOR

ATTEST:


ASHLEY RAIDER, CITY CLERK

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