

Introduced: May 9, 2000  
Passed: May 9, 2000  
1<sup>st</sup> Published: May 12, 2000  
2<sup>nd</sup> Published: May 19, 2000

CHARTER ORDINANCE NO. ~~2000~~-41

A CHARTER ORDINANCE EXEMPTING THE CITY OF HUTCHINSON, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1697 RELATING TO IMPOSITION OF A TRANSIENT GUEST TAX UPON SLEEPING ACCOMMODATIONS WITHIN THE CITY, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THAT SUBJECT.

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

**SECTION 1.** The City of Hutchinson, Kansas, a mayor-council city of the first class, 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 K.S.A. 12-1697, and to provide substitute and additional provisions as hereinafter set forth in this ordinance. Such referenced provision of Kansas law is either an enactment or a part of an enactment which is applicable to this city, but is not applicable uniformly to all cities.

**SECTION 2.** Transient guest tax.

a. In order to provide revenues to promote tourism and conventions, the governing body of the City is hereby authorized to levy a transient guest tax at a rate not to exceed seven percent (7%) 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 located within the City. The rate of any such tax shall be fixed from time to time by ordinance.

b. Any transient guest tax levied pursuant to this Charter Ordinance shall be based on the gross rental receipts collected by any business.

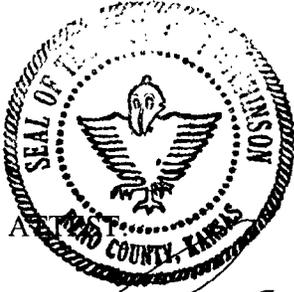
c. The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax, or an amount equal as nearly as possible or practicable to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by K.S.A. 12-1698, and amendments thereto.

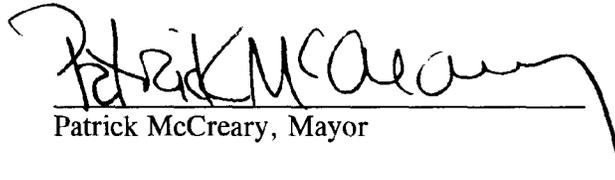
**SECTION 3.** This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

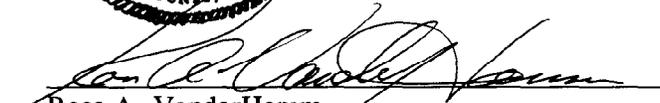
**SECTION 4.** This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed requiring a referendum to be held on the ordinance as provided in Article 12, Section 5, Subdivision (c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting thereon.

**SECTION 5.** Charter Ordinance No. 26 is repealed.

**PASSED BY THE GOVERNING BODY,** not less than two-thirds of the members elected voting in favor thereof, this 9<sup>th</sup> day of May, 2000.



  
Patrick McCreary, Mayor

  
Ross A. VanderHamm  
Finance Director/City Clerk