

CITY OF WOODLAND

ORDINANCE NO. 1162

AN ORDINANCE AMENDING TITLE 2 “ADMINISTRATION AND PERSONNEL” OF THE WOODLAND MUNICIPAL CODE TO ADD A NEW CHAPTER 2.28 LODGING TAX ADVISORY COMMITTEE (“LTAC”) AND ESTABLISHING PROVISIONS THAT GOVERN THE COMMITTEE, INCLUDING TERM LIMITS FOR COMMITTEE MEMBERS

Recitals

Whereas, subject to statutory requirements, RCW 67.28.180 authorizes cities to levy and collect a special excise tax not to exceed two percent on the sale of a charge made for furnishing lodging subject to tax under Chapter 82.08 RCW;

AND, Whereas, State law requires those cities to establish a Lodging Tax Advisory Committee in order to appropriate tax funds so collected;

NOW, BE IT ORDAINED by the City Council of the City of Woodland amends Title 2 of the Woodland Municipal Code as follows:

1. Codification: A new Chapter 2.82 entitled “Lodging Tax Advisory Committee” is hereby codified in the Woodland Municipal Code as follows:

**Chapter 2.82
Lodging Tax Advisory Committee**

2.82.010. Advisory Committee Created

There is hereby created a City of Woodland Lodging Tax Advisory Committee (LTAC) to serve the functions prescribed in RCW 67.20.1817, as currently written or as may subsequently be amended to collect data for economic impact reports required by RCW 67.28.1816.

2.82.020. Committee Membership

(a) The membership of the Lodging Tax Advisory Committee (LTAC) shall consist of five members. One member shall be an elected official of the City who shall be nominated by the Mayor and appointed by the Council, and shall serve as the committee chair. Two members shall be representatives of businesses located in the City and required to collect the tax, and two members shall be representatives of individuals or entities located in the City and involved in activities authorized to be funded by revenue received from the tax. Persons who are eligible for appointment as representatives of businesses collecting the tax shall not be eligible for appointment as representatives of individuals and entities involved in activities funded by the tax. Likewise, persons who are eligible for appointment as representatives of individuals and entities involved in activities funded by the tax are not eligible for

appointment as representatives of individuals and entities involved in activities funded by the tax. These five members shall be nominated by the Mayor and appointed by the City Council.

In addition to the above-described five members, the Mayor shall nominate and the City Council shall appoint a second elected official to serve as the alternate committee chair when the committee chair is absent or unable to attend a meeting of the Lodging Tax Advisory Committee.

(b) Organizations representing businesses required to collect lodging/motel-hotel tax pursuant to RCW 67.28 and to RCW 82.08, organizations involved in activities authorized to be funded by revenue received pursuant to RCW 67.28, and local agencies involved in tourism promotion may submit recommendations for membership on the committee but such recommendations are not binding on the Mayor for purposes of nomination and are not binding on the council for purposes of appointment. The number of members who are representatives of businesses required to collect tax shall equal the number of members who are involved in activities authorized to be funded by revenue received. One member shall be an elected official of the municipality who shall serve as chair of the committee.

(c) The City Council will review the membership on an annual basis and make changes as appropriate. Vacancies on the committee shall be filled by the City Council.

2.82.030. Term of Membership

A term of membership on the committee shall be a calendar year, commencing January 1 and ending at the expiration of December 31 in the same year. No member appointed to a position representing the businesses required to collect the tax, or appointed to a position representing individuals or entities funded by revenue received from the tax shall be appointed to serve for more than three (3) annual terms. Short terms and expired terms shall not count toward this limitation. The three term limit shall not be construed to create an entitlement to a second or third term of membership on the committee.

2.82.040 Associated Organizations

The City Council retains full authority pursuant to RCW 67.28.1817 to fill vacant positions and appoint members, provided that the Mayor shall nominate individuals to be considered for appointment of vacancies for qualified individuals who have responded to public notice requesting applications. Organizations with which members are associated shall have no authority to replace, substitute or otherwise appoint members.

2.82.050 Taxing Proposal Review

The City Council shall submit to the Lodging Tax Advisory Committee, for its review and comment, proposals on: (1) the imposition of a tax under RCW 67.28; (2) any increase in the rate of such tax; (3) repeal of an exemption from such a tax; or (4) a change in the use of the revenue received from such a tax. The City Council shall submit such a proposal to the Committee at least 45 days before taking final action on or passage of any such proposal. The advisory Committee shall submit comments on the proposal in a timely manner through generally applicable public comment procedures. Comments by the Committee should include an analysis of the extent to which the proposal will accommodate activities for

tourists or increase tourism, and the extent to which the proposal will affect the long-range stability of the special fund created pursuant to RCW 67.28.1815 for lodging tax revenues. Failure of the LTAC to submit final action on or passage of the proposal shall not prevent the City Council from acting on the proposal. There is no requirement that an amended proposal be submitted back to the LTAC for additional review.

2.82.060 Public Meeting

The Open Public Meeting Act as currently adopted or as later amended shall apply to the acts of the LTAC.

2. Severability: If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then such declaration shall not affect the validity of the remaining portions of this ordinance, unless such invalidity destroys the purpose and intent of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the code, ordinances or resolutions of the City of Woodland, then this ordinance is deemed to control.

3. Publication: A summary of this ordinance shall be published as required by law.

4. Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

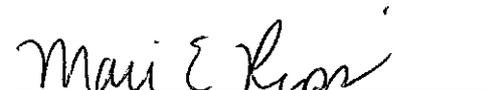
Adopted in an open public meeting this 3rd day of August, 2009.

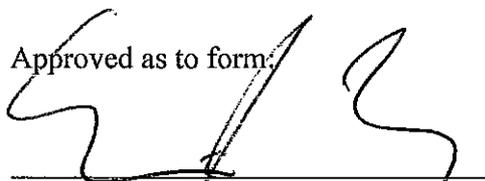
CITY OF WOODLAND, WA

Approved:


Charles E. Blum, Mayor

Attest:


Mari E. Ripp, Clerk-Treasurer

Approved as to form:

William J. Eling, City Attorney

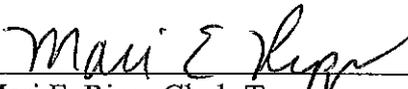
SUMMARY OF ORDINANCE NO. 1162
OF THE CITY OF WOODLAND, WASHINGTON

On August 3, 2009 the City Council of the City of Woodland, Washington, approved Ordinance No. 1162 the main point which may be summarized by its title as follows:

AN ORDINANCE AMENDING TITLE 2 "ADMINISTRATION AND PERSONNEL" OF THE WOODLAND MUNICIPAL CODE TO ADD A NEW CHAPTER 2.28 LODGING TAX ADVISORY COMMITTEE ("LTAC") AND ESTABLISHING PROVISIONS THAT GOVERN THE COMMITTEE, INCLUDING TERM LIMITS FOR COMMITTEE MEMBERS AND AUTHORIZE PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting on August 3, 2009.



Mari E. Ripp, Clerk-Treasurer

Published: August 26, 2009
Effective: September 2, 2009