

ORDINANCE NO. 2407

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 3.40.030 OF CHAPTER 3.40 OF THE CHULA VISTA MUNICIPAL CODE TO INCREASE THE MAXIMUM TRANSIENT OCCUPANCY TAX TO TEN PERCENT (10%) SUBJECT TO ANNUAL ABATEMENT BY THE CITY COUNCIL

The City Council of the City of Chula Vista does ordain as follows:

SECTION 1. That Section 3.40.030 of Chapter 3.40 of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 3.40.030 Imposition-Rate-Payment-Annual Abatement

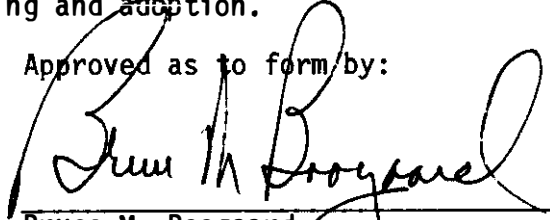
- a. For the privilege of occupancy in any hotel or campsite, each transient is subject to and shall pay a tax in the amount of ten percent of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel or campsite at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel or campsite. If for any reason the tax due is not paid to the operator of the hotel or campsite, the director of finance may require that such tax shall be paid directly to the director of finance of the city.
- b. Notwithstanding anything else to the contrary in this section contained, the City Council is hereby authorized, but is not required, to lower the tax, or the rate of tax imposed under the authority of this Chapter, but to no less than what the tax would be at a rate of eight percent, for no more than one calendar year, if, within three months prior to the commencement of a given calendar year, it conducts a public hearing at which it publicly deliberates on the advisability of doing so, notice of which public hearing is published in a newspaper of general circulation at least twice not sooner than 20 days and not later than 5 days prior thereto, of its intent to deliberate upon said matter. Failure to publish notice of the public hearing, as herein required, shall not affect the right of the City Council to conduct the public hearing and to abate all or any portion of the tax herein imposed.

SECTION 2. This ordinance shall take effect and be in full force and effect immediately upon its second reading and adoption.

Presented by:

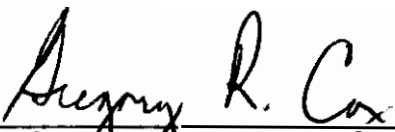

Lyman Christopher
Director of Finance

Approved as to form by:


Bruce M. Boogaard
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 25th day of October, 1990, by the following vote:

AYES: Councilmembers: Malcolm, McCandliss, Moore, Nader, Cox
NOES: Councilmembers: None
ABSENT: Councilmembers: None
ABSTAIN: Councilmembers: None



Gregory R. Cox, Mayor

ATTEST:




Beverly A. Authalet, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, Beverly A. Authalet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2407 had its first reading on October 16, 1990, and its second reading and adoption at a regular meeting of said City Council held on the 25th day of October, 1990.

Executed this 25th day of October, 1990.



Beverly A. Authalet, City Clerk