

*Amended by  
1098-97*

ORDINANCE NO. 808-85

AN ORDINANCE AMENDING ORDINANCE 655 PREVIOUSLY ENTITLED "HOTEL OCCUPANCY TAX", PROVIDING FOR A TAX NOT TO EXCEED SEVEN PERCENT (7%), THUS AMENDING PARAGRAPH II. (a) FROM THE PREVIOUS FOUR PERCENT (4%); FURTHER PROVIDING THAT ALL AMOUNTS OF SAID TAX IN EXCESS OF FOUR PERCENT (4%) SHALL BE USED ONLY FOR THE PURPOSES SET FORTH IN SEC. 3c. (a) SUBPARAGRAPHS (1) THROUGH (3); FURTHER PROVIDING THAT NO MORE THAN ONE PERCENT (1%) OF THE CONSIDERATION PAID BY AN OCCUPANT OF THE SLEEPING ROOM TO THE HOTEL MAY BE USED IN SUBPARAGRAPH 3c.(a) (4) OF ARTICLE 1269j-4.1; OTHERWISE CONTINUING ORDINANCE 655 IN FULL FORCE AND EFFECT, CONTAINING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS:

I.

Subparagraph II.(a) is hereby amended to read as follows:

There is hereby levied a tax upon the cost of occupancy of any room or space furnished by any hotel where such cost of occupancy is at the rate of Two Dollars (\$2.00) or more per day, such tax to be equal to 7% of the consideration paid by the occupant of such room to such hotel.

Ordinance 655 is further amended to provided an additional paragraph under II. as follows:

(d) Any revenues from a tax in excess of 4% of the consideration paid by an occupant of the sleeping room to the hotel may only be used for the following purposes:

(1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities including, but not limited to, civic center convention buildings, auditoriums, coliseums, civic theaters, museums, and parking areas or facilitits for the parking or storage of motor vehicles or other conveyances located at or in the immediate vicinity of the convention center facilities;

(2) the furnishing of facilities, personnel and materials for the registration of convention delegates or registrants;

(3) for advertising for general promotional and tourist advertising of the city and its vicinity and conducting a solicitation and operating program to attract conventions and visitors either by the city or through contracts with persons or organizations selected by the city.

(4) No more than 1% of the consideration paid by the occupant of a sleeping room to a hotel may be used for:

The encouragement, promotion, improvement, and application of the arts, including music (instrumental and vocal), dance, drama, folk art, creative writing,

architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performances, execution, and exhibition of these major art forms.

II.

Except as specifically amended herein, Ordinance 655 is continued in full force and effect.

III.

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

IV.

Any person, firm or corporation that violates, disobeys, neglects or refuses to comply with, or that resists the enforcement of, any of the provisions of this ordinance shall be fined not less than TEN DOLLARS (\$10.00), nor more than TWO HUNDRED DOLLARS (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense and shall be punishable as such.

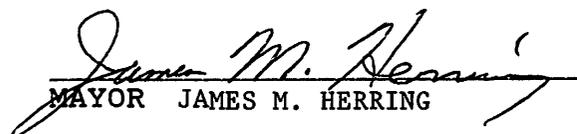
The City may also bring suit for injunction against any person, firm or corporation that shall violate or threaten to violate any of the provisions of this ordinance, in order to prevent a continued violation of such threatened violation.

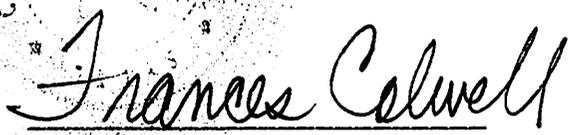
V.

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

PASSED AND ADOPTED, this 12<sup>th</sup> day of March, 1985.

APPROVED:

  
MAYOR JAMES M. HERRING

  
ATTEST:  
  
CITY SECRETARY FRANCES COLWELL

LEGAL AFFIDAVIT

THE STATE OF TEXAS:

COUNTY OF TARRANT:

Before me, the undersigned authority on this day personally appeared, Carolyn Evetts, known to me to be a credible person, who first being sworn, deposed and upon his/her oath said:

That the White Settlement Bomber News, a newspaper which has been regularly and continuously published and is of general circulation in the City/Town of White Settlement, Texas for a period of more than one year preceding the first publication of the attached Ordinances #807-85 and 808-85 and that said notice was published in said newspaper on the following date/s.

March 21, 1985

That the attached is a true and correct copy of said notice as published on said date/s in said White Settlement Bomber News.

Carolyn Evetts  
General Manager

Sworn to and subscribed before me, this the 4<sup>th</sup> day of

April, 19 85

James C. Underwood  
Notary Public, Tarrant County, Texas

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