

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 11-345

AN ORDINANCE OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, ESTABLISHING PROCEDURES AND CRITERIA FOR THE ADMINISTRATION AND USES FOR THE LODGING PRIVILEGE TAX REVENUES GENERATED BY ORDINANCE NO. 01-195.

WHEREAS, the Town Council adopted Ordinance No. 01-195 on October 4, 2001 establishing a hospitality tax rate at three percent (3%) on transient lodging by adding Section 8A.444.1 to the Town Code, Chapter 3.04, Appendix A.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA AS FOLLOWS:

1. Repeal of Ordinance No. 01-196: Ordinance No. 01-196 is hereby repealed in its entirety.
2. Three Percent Hospitality Tax Uses: The three percent (3%) hospitality tax established by Ordinance No. 01-195 shall be used as follows:
 - A. All of the amount up to but not exceeding \$180,000 shall be expended for advertising and promotion for tourism and other visitor-related functions for the Pinetop-Lakeside area.
 - B. All funds exceeding \$180,000 shall be utilized by the Town for the acquisition and development of community and recreational facilities.
 - C. The Town Council shall review the allocations at least annually as a part of the budget process and at other times as needed.
3. Control of Funds: Financial and administrative control of the funds allocated pursuant to Section Two, above, shall be vested solely with the Town Council. The Advertising and Promotion Committee and other committees appointed by the Town from time-to-time shall make recommendations to the Town Council concerning the expenditure of Town funds.
4. Advertising and Promotion Committee: The Advertising and Promotion Committee shall consist of nine (9) members, five of whom shall reside within the boundaries of the Blue Ridge Unified School District, and the remainder may own and operate a business located within the Town boundaries that pays transaction privilege taxes to the Town of Pinetop-Lakeside. One member shall be a representative of the local hospitality industry, one member shall be a Town Council member, and the remaining seven members shall be members-at-large.

5. Duties of the Advertising and Promotion Committee: The duties of the Advertising and Promotion Committee shall be as follows:
 - A. The Advertising and Promotion Committee shall carry out the duties assigned to it from time-to-time by the Town Council.
 - B. Develop an Annual Plan including a budget for the expenditure of funds allocated for the purposes set forth in Section Two, above, and deliver this plan to the Town Council annually for Council approval and shall modify and amend the Plan as requested by the Town Council from time-to-time. The Plan shall address development and promotion of the community's image, target markets for tourism promotion, specify promotional campaigns, and present other visitor-related matters.
 - C. The Town Council requests that the Advertising and Promotion Committee provide recommendations regularly concerning the expenditure of advertising and promotion funds set forth in Section Two, above.
 - D. Present updates and reports of the activities of the Committee and budget information to the Town Council on a quarterly basis.
 - E. Request and consider various advertising, promotion, and marketing plans to promote tourism and other visitor-related matters for the Town. The Committee shall make recommendations to the Town Council concerning proposed contractual relationships for advertising, marketing, and related services, including proposed agreements with public or private agencies or firms that will help the Town plan, administer, and implement the Annual Plan.
 - F. The Committee may develop a fund-raising program with Town Council approval to develop and encourage grant-funding, contributions from the public or private sectors, and other funding for the purposes outlined in Section Two of this Ordinance.
6. Automatic Repeal of Section Two: In the event that the Town's hospitality tax of three percent (3%) established by Ordinance No. 01-195 is repealed, then Section Two of this Ordinance shall be automatically repealed and the allocations set forth in Section Two of this Ordinance shall no longer be required.
7. Effective Date: The effective date of this Ordinance shall be the 7th day of February 2011.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 6th day of January 2011.

TOWN OF PINETOP-LAKESIDE

/s/ LUKE S. SMITH, Mayor

ATTEST:

/s/ LU ANNE FROST, Town Clerk

APPROVED AS TO FORM:

/s/ JACK BARKER, Town Attorney