

CHARTER RESOLUTION NO. 99-05

A CHARTER RESOLUTION EXEMPTING WOODSON COUNTY, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1697 TO 12-16,101, INCLUSIVE, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO THE LEVY OF A TRANSIENT GUEST TAX FOR TOURISM AND CONVENTIONS.

WHEREAS, K.S.A. 12-1696 to 12-16,101, inclusive, authorizes a levy by municipalities of a transient guest tax, which provisions are not uniformly applicable to all municipalities; and

WHEREAS, pursuant to Article 2, Section 21 of the Kansas Constitution, K.S.A. 19-101a, and K.S.A. 19-101b, counties may exempt themselves from such provisions and provide substitute and additional provisions therefor;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WOODSON COUNTY, KANSAS:

1. The Board of County Commissioners of Woodson County, Kansas, by the authority set out above, hereby elects to exempt Woodson County, Kansas, from and makes inapplicable to said county, the provisions of K.S.A. 12-1697 through 12-16,101, inclusive, and to provide substitute and additional provisions as hereinafter set forth. The referenced provisions of said statutes are either enactments or parts thereof which are applicable to said county, but are not uniformly applicable to all counties within Kansas.
2. A transient guest tax shall be levied in Woodson County, Kansas, at a rate not to exceed 5% upon the gross receipts derived from or paid by transient guests for lodging or sleeping accommodations, exclusive of charges for incidental services or facilities, in any hotel or motel. The percentage and effective date of such tax shall be determined by the Board of County Commissioners of Woodson County, Kansas, and shall be specified in a resolution authorizing the same.
3. The transient guest tax levied pursuant to this Resolution shall be based upon the gross rental receipts collected by any hotel or motel business.
4. The tax levied by this Resolution shall be paid by the consumer or user to the hotel or motel business and it shall be the duty of each and every such business to collect from the consumer or user the full amount of any such tax, or an amount equal or as nearly possible or practicable to the equivalent thereof. Each hotel or motel business collecting the tax levied hereunder shall be responsible for paying it to the Woodson County Treasurer payable on or before the 15TH day of the month

that occurs 30 days after this Resolution becomes effective and all other such guest tax payments on the 15TH day of every month thereafter.

5. A fund designated "Tourism and Convention Fund" is hereby established to receive disbursements of money from the Woodson County Treasurer

6. The Board of County Commissioners shall establish a Tourism Committee consisting of 7 members to be chosen by the Board of County Commissioners, with the following positions and terms:

- 1 position from Yates Center-2 year term
- 1 position from Toronto-2 year term
- 1 position from Neosho Falls-2 year term
- 1 position from Piqua-2 year term
- 2 positions at large-1 year term
- Chamber of Commerce Director- no limit term

All Tourism Board members may be reappointed for an unlimited number of terms. Whenever a vacancy occurs in any position, such vacancy shall be filled by appointment of the unexpired term.

7. Moneys deposited in the "Tourism and Convention Fund" shall be expended based upon determination by the Tourism Committee and with the approval of the Board of County Commissioners.

A copy of invoices showing the expenditures and to whom payable shall be directed to the Woodson County Clerk's office.

8. This Charter Resolution shall be published once each week for 2 consecutive weeks in the official newspaper, and shall take effect 61 days after final publication unless prior to that date a sufficient petition for referendum is submitted pursuant to K.S.A. 19-101b, in which event it shall become effective upon approval by a majority of electors voting thereon.

ADOPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF WOODSON COUNTY, KANSAS, THIS 29TH DAY OF JUNE, 1999.

BOARD OF COUNTY COMMISSIONERS

William W. Lunde

Chairperson

Blair Yoldo

Member

Guta Bachelder

Member

SEAL:

ATTEST:

Shelley Stuber

Shelley Stuber-County Clerk

Woodson County
Attorney

P.O. Box 241
Yates Center, Kansas 66783