

ORDINANCE NO. 10-02

AN ORDINANCE OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; AMENDING THE TOWN TAX CODE BY INCREASING THE TAX RATE ON TRANSIENT LODGING; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY, MAKING PROVISION FOR EXISTING CONTRACTS; AND DESIGNATING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA as follows:

SECTION 1. Section 8A-447 of the Tax Code of the Town of Fountain Hills - 2008 Edition (the "Tax Code") is hereby amended as follows:

Sec. 8A-447. Rental, leasing, and licensing for use of real property: additional tax upon transient lodging.

In addition to the taxes levied as provided in Section 8A-444, there is hereby levied and shall be collected an additional tax in the amount equal to ~~three~~ FOUR percent (4%) of the gross income from the business activity of any hotel engaging or continuing within the Town in the business of charging for lodging and/or lodging space furnished to any transient.

SECTION 2. Any person found guilty of violating any provision of these amendments to the Tax Code shall be guilty of a class one misdemeanor. Each day that a violation continues shall be a separate offense punishable as herein above described.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 4. The tax imposed pursuant to Section 1 of this Ordinance shall not apply to contracts entered into prior to the effective date of this Ordinance.

SECTION 5. The provisions of this Ordinance shall become effective on October 1, 2010.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills,
Arizona, June 17, 2010.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:



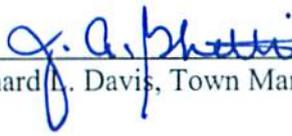
Jay T. Schlum, Mayor



Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

for 

Richard L. Davis, Town Manager



Andrew J. McGuire, Town Attorney