CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1603-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ESTABLISHING A LODGING TAX ADVISORY COMMITTEE PURSUANT TO RCW 67.28.1817 AND ADDING A NEW CHAPTER 2.92 TO THE FIFE MUNICIPAL CODE

WHEREAS, the City of Fife has recently attained a population in excess of 5,000 persons; and

WHEREAS, the City of Fife has previously implemented a Lodging Tax pursuant to RCW Chapter 67.28; and

WHEREAS, RCW 67.28.1817 requires cities with a population of 5,000 or more to establish a Lodging Tax Advisory Committee to advise in allocating the Lodging Tax revenue;

now, therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON
DO ORDAIN AS FOLLOWS:

Section 1. The Fife Municipal Code shall be and is hereby amended by the creation and enactment of a new Chapter 2.92 entitled "Lodging Tax Advisory Committee," to read as follows:

Chapter 2.92

Lodging Tax Advisory Committee

Sections:

2.92.010	**Lodging Tax Advisory Committee Created.**
2.92.020	**Membership of Lodging Tax Advisory Committee.**
2.92.030	**Annual Review and Removal of Members.**
2.92.040	**Proposals to be Reviewed.**
2.92.050	**Duties of Lodging Tax Advisory Committee.**
2.92.060	**Quorum.**
2.92.070	**Compensation.**

2.92.010 Lodging Tax Advisory Committee Created.
A lodging tax advisory committee is hereby established and created by the City Council. The purpose of the lodging tax advisory committee ("LTAC") is to perform the functions and duties as required under RCW 67.28.1817.

2.92.020 Membership of Lodging Tax Advisory Committee.

A. The lodging tax advisory committee shall consist of seven members appointed by the City Council as follows:

(1) At least two members who are representatives of businesses required to collect tax under RCW Chapter 67.28;

(2) At least two members who are persons involved in activities authorized to be funded by revenue received under RCW Chapter 67.28; and

(3) At least one member of City Council who shall serve as chair of the LTAC.

B. Persons who are eligible for appointment under subsection (A)(1) of this section are not eligible for appointment under subsection (A)(2) of this section, and vice versa.

C. The number of persons appointed as representatives of businesses required to collect tax under RCW Chapter 67.28 of this section shall be equal to the number of members appointed as persons involved in activities authorized to be funded by revenue received under RCW Chapter 67.28, and vice versa.

D. The City Council may consider recommendations for appointment to the LTAC from organizations representing businesses required to collect tax under RCW Chapter 67.28, organizations involved in activities authorized to be funded by revenue received under RCW Chapter 67.28, and local agencies involved in tourism promotion.

2.92.030 Annual Review and Removal of Members.
As required by state law, the city council shall review the membership of the LTAC annually and make changes as appropriate both in regard to the number of appointments and the members appointed. This review shall occur by the last day of the month of November of each year. Members of the LTAC shall serve at the pleasure of the City Council and may be removed at any time, without cause, at their discretion.

2.92.040 Proposals to be Reviewed.
At least forty-five days before final action or passage, the City shall submit the following proposals to the LTAC for review and comment: the imposition of a tax under RCW Chapter

67.28; an increase in the rate of a tax imposed under RCW Chapter 67.28; a repeal of an exemption from a tax imposed under RCW Chapter 67.28; or a change in the use of revenue received under RCW Chapter 67.28.

2.92.050 Duties of Lodging Tax Advisory Committee.

A. The LTAC shall promptly review all proposals, as described in 2.92.040, submitted for review and comment through generally applicable public comment procedures. These comments shall include the following analysis: the extent to which the proposal will accommodate activities for tourists or increase tourism; and the extent to which the proposal will affect the long-term stability of the City's fund created under RCW 67.28.1815. Final legislative authority over these proposals shall remain with the elected City Council. Review, comments, or any recommendations presented by the LTAC are advisory only and shall not bind the City Council.

B. Failure of the LTAC to submit comments before final action on or passage of the proposal by City Council shall not prevent the City from acting on the proposal.

C. The City may, but is not required, to submit an amended proposal to the LTAC for review.

2.92.060 Quorum.

A quorum of the LTAC shall be a majority of persons currently serving as voting members of the LTAC. A quorum must be present in order for a vote to be taken on a recommendation to go to the city council. Each voting member is entitled to one vote. All matters establishing policies, recommendations or decisions shall be decided by a majority vote of voting members present.

2.92.070 Compensation.

The members of the LTAC shall receive no compensation and are not eligible for reimbursement of expenses incidental to service on the LTAC. The LTAC may request specific support necessary to carry out its responsibilities by a request made, in advance, to the City Manager.

Section 2. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 3. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 22nd day of August 2006.

Passed by the City Council on the 12th day of Sept. 2006.

Steve Worthington, City Manager

ATTEST:

Marlyn Campbell, City Clerk/Treasurer

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: _____

Effective Date: _____, 2006