



Local Ballot Measure: R

Full Text of Measure R

ORDINANCE 319

AN ORDINANCE OF THE CITY OF DEL REY OAKS AMENDING SECTION 3.20.030 OF CHAPTER 3.20 OF TITLE 3 OF THE DEL REY OAKS MUNICIPAL CODE TO INCREASE THE CITY'S TRANSIENT OCCUPANCY TAX RATE

The People of the City of Del Rey Oaks do ordain as follows:

SECTION 1. Subject to the approval of a majority of the voters of the City of Del Rey Oaks at the General Municipal Election so designated by the City Council in a separate resolution placing the proposal on the ballot for such election, Section 3.20.030 of Chapter 3.20 of Title 3 of the Del Rey Oaks Municipal Code is hereby amended as follows:

Chapter 3.20 UNIFORM TRANSIENT OCCUPANCY TAX

3.20.30 Tax Imposed.

- A. For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax as imposed from time to time by City Council resolution in the amount of ten percent of the rent charged by the operator. Said tax shall be a percentage of the rent charged by an operator to an occupant.
- B. On and as of January 1, 2025, and continuing thereafter until further change by City Council resolution, the amount of the tax imposed is twelve percent of the rent charged by an operator. As approved by voters, any future changes in the amount of tax imposed may be made by City Council resolution up to a cap of fourteen percent of the rent charged by an operator.
- C. Said tax constitutes a debt owed by the transient to the city, which is extinguished only by payment to the an operator or to the city. The transient shall pay the tax to the an operator of the hotel at the time when the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the an operator of the hotel, the tax collector may require that such tax shall be paid directly to the tax collector.
- D. The proceeds of the tax and expenditures of those proceeds shall be subject to an annual independent audit as other city financial records are audited.

SECTION 2. General Tax. Proceeds of the tax imposed by this Ordinance shall be deposited in the general fund of the City and shall be available for any legal purpose.

SECTION 3. Amendment or Repeal. The City Council may repeal Chapter 3.20 of the Del Rey Oaks Municipal Code or amend that Chapter without a vote of the people except that any amendment to Chapter 3.20 that increases the amount or rate of tax due from any Person beyond the amounts and rates authorized by this Ordinance may not take effect unless approved by a vote of the people.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The people hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 5. Effective Date. This ordinance shall be effective only if approved by a majority of the voters and shall go into effect immediately after the vote is declared by the City Council.

SECTION 6. Execution. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the voters of the City by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Del Rey Oaks voting on the 5th day of November, 2024.

ATTEST:

Karen Minami, City Clerk

APPROVED AS TO FORM:

Alex Lorca, City Attorney

Scott Donaldson, Mayor

APPROVED:

John Guertin, City Manager