



Legislation Details (With Text)

File #: 230014 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 1/5/2023 **In control:** Council

On agenda: 1/13/2023 **Final action:** 1/12/2023

Title: Sponsor(s): Mayor Quinton Lucas and Councilmembers Kevin O’Neill and Eric Bunch

Providing for submission to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of modifying the license fee on hotels, motels and tourist courts; authorizing the imposition of a license fee on owners of short-term rentals; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

Sponsors: Quinton Lucas, Kevin O’Neill, Eric Bunch

Indexes:

Code sections:

Attachments: 1. No Fact Sheet, 2. Docket Memo 230014-2, 3. Authenticated Ordinance 230014

Date	Ver.	Action By	Action	Result
1/12/2023	1	Council		
1/10/2023	1	Special Committee for Legal Review	Adv and Do Pass	
1/5/2023	1	Council	referred	

ORDINANCE NO. 230014

Sponsor(s): Mayor Quinton Lucas and Councilmembers Kevin O’Neill and Eric Bunch

Providing for submission to the qualified voters of the City for their approval at a general election called for Tuesday, April 4, 2023 the question of modifying the license fee on hotels, motels and tourist courts; authorizing the imposition of a license fee on owners of short-term rentals; authorizing and directing the City Clerk to notify the responsible election authorities of this election; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, in an election on August 3, 2004 voters of the City authorized a \$1.50 business license fee on each room rental of hotels, motels, and tourist courts to provide funds for the acquisition, development, construction, operation and maintenance of a downtown arena; and

WHEREAS, the license fee approved by voters shall expire once repayment of the downtown arena has fully concluded; and

WHEREAS, the City Council desires to submit to the voters a question modifying the license fee on hotels, motels, and tourist courts; and

WHEREAS, there are currently no license fees imposed by the City for short-term rentals; and

WHEREAS, the City Council also desires to submit to the voters a question of imposing a license fee on short-term rentals similar to the fee imposed on hotels, motels and the tourist courts; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Election Called. That an election is called on Tuesday, April 4, 2023, at which election the question of establishing the fees described in this ordinance shall be submitted to the qualified voters of the City for their consideration, as required by law.

Section 2. Ballot Title - Lodging Establishment Fees. The ballot title shall be:

QUESTION

SHALL THE FOLLOWING BE APPROVED?

Shall the City be authorized to impose the following license fee for the purpose of funding convention and tourism activities:

Up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied sleeping room per day also to be applied to all short-term rentals conducting business within the City?

YES NO

The voter who desires to vote in favor of this question shall place an X in the box opposite Yes. The voter who desires to vote against this question shall place an X in the box opposite No.

Section 3. Delivery of Ordinance by City Clerk to Election Authorities. That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri, to the Board of Election Commissioners of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit this amendment to the electors of Kansas City as herein provided and to give public notice thereof as provided by law.

Section 4. Election Notice. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, April 4, 2023, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY ELECTION

GENERAL MUNICIPAL ELECTION, APRIL 4, 2023

QUESTION NO. ____
(Lodging Establishment Fees)

Shall the City be authorized to impose the following license fee for the purpose of funding convention and tourism activities:

Up to an additional \$1.50 per occupied sleeping room per day on all hotels, motels and tourist courts, with such fees being in addition to the existing \$1.50 occupancy fee on hotels and motels for a combined fee of \$3.00 per occupied sleeping room per day also to be applied to all short-term rentals conducting business within the City?

____ YES ____ NO

[Instructions to voters will be supplied by the election authorities]

=====

A full and complete copy of this ordinance, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be *[insert list of polling places in last publication only]*.

=====

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri.

Given under my hand and the official seal of the City of Kansas City, Missouri, this_ day of_, 20____.

(SEAL)

MARILYN SANDERS
City Clerk, City of Kansas City,
Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of the City of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My commission expires:

Section 5. *Effect of Invalidity.* This ordinance presents a modified license fee for Lodging Establishments which includes hotel, motel, tourist courts and short-term rentals. Should the modified license fees authorized in this ordinance be found to be unlawful, the current provisions will remain in effect.

Section 6. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(A) of the City Charter in that it calls for an election, and shall take effect in accordance with that section.

Approved as to form:

Dustin E. Johnson
Associate City Attorney