

ORDINANCE NO. 2022-03

**AN ORDINANCE TO AMEND TITLE 5 OF THE
SIGNAL MOUNTAIN TOWN CODE BY ENACTING
CHAPTER 7 THEREOF TITLED OCCUPANCY
TAX ON HOTELS AND MOTELS**

WHEREAS, the Town of Signal Mountain is desirous of gaining all potential revenue for the betterment of the citizens of Signal Mountain; and

WHEREAS, the Town of Signal Mountain is authorized by T.C.A. § 67-4-1402 to levy a privilege tax upon the privilege of occupancy in any hotel as defined therein;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, that Title 5 of the Signal Mountain Municipal Code is hereby amended to provide the following:

CHAPTER 7

OCCUPANCY TAX ON HOTELS AND MOTELS

SECTION

5-701. **Definitions.** As used in this Chapter:

(1) “Consideration” means the consideration charged, whether or not received, for the occupancy in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provide to the person is complimentary from the operator and no consideration is charged to or received from any person;

(2) “Hotel” means any structure or space, or any portion thereof, that is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes privately, publicly, or government-owned hotels, inns, tourist camps, tourist courts, tourist cabins, motels, short-term rental units, primitive and recreational vehicle campsites and campgrounds, or any place in which rooms, lodgings, or accommodations are furnished to transients for consideration;

(3) “Occupancy” means the use or possession, or the right to the use or possession, of any room, lodgings or accommodations in in any hotel;

(4) "Operator" means the person operating the hotel, whether as owner, lessee or otherwise;

(5) "Person" means any individual, or group of individuals, that occupies the same room;

(6) "Tourism" means attracting nonresidents to visit a particular municipality and encouraging those nonresidents to spend money in the municipality, which includes travel related to both leisure and business activities;

(7) "Tourism Development" means the acquisition and construction of, and financing and retirement of debt for, facilities related to tourism; and

(8) "Transient" means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations in a hotel for a period of less than thirty (30) continuous days.

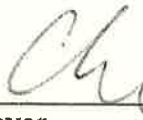
5-702. Tax levied. (1) Pursuant to the provisions of T.C.A. § 67-4-1401 through 67-4-1414, there be and is hereby levied a privilege tax upon the privilege of occupancy in any hotel of each transient. From and after the operative date of this Ordinance the rate of the levy shall be four percent (4%) of the consideration charged by the operator. This privilege tax shall be collected pursuant to and subject to the provisions of these statutory provisions. The Town Finance Director or his designee is designated as the authorized collector to administer and enforce this ordinance and these statutory provisions. The Town Finance Director is specifically authorized to contract with Hamilton County for collection of the tax enacted herein.

5-703. Use. The proceeds received from this tax shall be designated and used for the promotion of tourism and tourism development.

BE IT FURTHER ORDAINED that this Ordinance shall be effective May 9, 2022 from and after its passage the welfare of the Town requiring it.

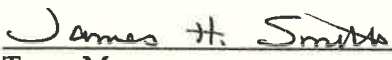
PASSED on First Reading April 11, 2022.

PASSED on Second Reading May 9, 2022.



Mayor

Attest:



Town Manager

Approved to form:



City Attorney