

ORDINANCE NO. ORD-2017-9901

AN ORDINANCE AMENDING SECTION 16A-12 OF CHAPTER 16A ENTITLED "STANDARD HOTEL OCCUPANCY TAX" OF THE CODE OF CIVIL AND CRIMINAL ORDINANCES OF THE CITY OF IRVING, TEXAS, BY PROVIDING FOR DISPOSITION AND USE OF REVENUE GENERATED BY THE CONVENTION CENTER HOTEL; PROVIDING FOR SAVINGS; DECLARING THE REGULATIONS PROVIDED HEREIN ARE GOVERNMENTAL AND FOR THE HEALTH, SAFETY, AND WELFARE OF THE GENERAL PUBLIC; PROVIDING ANY VIOLATION OF THIS ORDINANCE CAN BE ENJOINED BY SUIT FILED IN A COURT OF COMPETENT JURISDICTION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council, pursuant to §351.102, TEXAS TAX CODE, as amended, (the City has the authority to pledge hotel occupancy tax revenues to the payment of bonds; and

WHEREAS, the allocation of hotel occupancy tax revenues pursuant to Section 16A-12 of the Code is subject to the City's authorization to pledge such hotel occupancy tax revenues to bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS:

SECTION 1. That Section 16A-12 of Chapter 16A of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, is hereby amended to add paragraph (d) to read as follows:

Sec. 16A-12. Disposition and use of revenue.

(d) Notwithstanding the allocation of hotel occupancy tax in (b) herein, all hotel occupancy tax revenues generated from the Irving Convention Center Hotel shall be pledged to or otherwise used for the payment of bonds or other obligations by the City and shall not be allocated pursuant to section (b) of this section.

SECTION 2. That all provisions of Ordinance 2008-8998 of the City of Irving shall remain in full force and effect.

SECTION 3. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public.

SECTION 4. Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Irving in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Irving.

SECTION 5. The caption clause of this ordinance shall be published in a newspaper of general circulation in the City of Irving, in compliance with the provisions of Article IV, Section 23, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

SECTION 6. This ordinance shall become effective immediately and shall remain in effect so long as obligations that are payable from the revenues of the tax levied herein are outstanding.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on January 12, 2017.

BETH VAN DUYNE
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney