



ORDINANCE NO. 1887

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA AMENDING THE BOZEMAN MUNICIPAL CODE, SECTION 2.06.1460.F INCREASING THE ASSESSMENT FOR THE BOZEMAN TOURISM BUSINESS IMPROVEMENT DISTRICT FROM \$1.00 TO \$2.00 PER OCCUPIED ROOM NIGHT

WHEREAS, on July 6, 2009 the City Commission of the City of Bozeman adopted Resolution 4182 creating the Bozeman Tourism Business Improvement District (BTBID); and

WHEREAS, on July 27, 2009 the City Commission adopted Ordinance 1765 creating the BTBID program; and

WHEREAS, Ordinance 1765 established a \$1.00 per occupied room night assessment; and

WHEREAS, Ordinance 1765 was codified in the Bozeman Municipal Code (BMC) in 2.06.1460 as the Bozeman Tourism Business Improvement District program and effective on September 10, 2009; and

WHEREAS, BMC Section 2.06.1460.F codifies the per occupied room night assessment in the amount of \$1.00; and

WHEREAS, on November 5, 2013, the BTBID Board determined it necessary to augment the current assessment in order to increase marketing dollars in an effort to remain competitive with other Montana communities contemplating increases to their occupied room night assessments; and

WHEREAS, on November 5, 2013, the BTBID Board approved a \$1.00 increase to the \$1.00 per occupied room night assessment for a recommended combined total assessment of \$2.00 per occupied room night.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA:

Section 1

Section 2.06.14.F, Bozeman Municipal Code, shall be amended to read:

Assessments. Finding the benefits derived by each property or facility are proportional, the city commission shall annually assess the entire cost of the BTBID against the BTBID in the amount of ~~one two~~ two dollars ~~(\$1.00)~~ \$2.00 per occupied room night. The properties to be assessed shall be those meeting the requirements of subsection D.2 of this section. The assessments described herein shall be subject to the provisions of division 4 of this article. Certain occupied room nights are exempt from assessments under this division. These include:

1. Occupied room nights at facilities that are otherwise exempt from paying a lodging facility use tax pursuant to MCA 15-65-101 through 15-65-136; and
2. Complimentary occupied room nights provided by a facility for no compensation.

Section 2

Repealer.

All provisions of the ordinances of the City of Bozeman in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other provisions of the ordinances of the City of Bozeman not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3

Savings Provision.

This ordinance does not affect the rights and duties that matured, penalties that were incurred or proceedings that were begun before the effective date of this ordinance. All other provisions of the Bozeman Municipal Code not amended by this Ordinance shall remain in full force and effect.

Section 4

Severability.

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect

the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Bozeman Municipal Code as a whole.

Section 5

Codification.


This Ordinance shall be codified as appropriate in Section 1.

Section 6

Effective Date.

This ordinance shall be in full force and effect on July 1, 2014.

PROVISIONALLY PASSED by the City Commission of the City of Bozeman, Montana, on first reading at a regular session held on May 5, 2014.



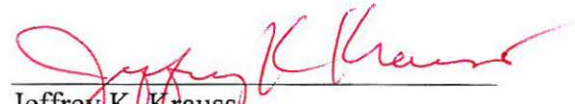
Jeffrey K. Krauss
Mayor

ATTEST:


STACY ULLEN, CMC
City Clerk



FINALLY PASSED, ADOPTED AND APPROVED by the City Commission of the City of Bozeman, Montana on second reading at a regular session thereof held on the May 19, 2014. The effective date of this ordinance is July 1, 2014.

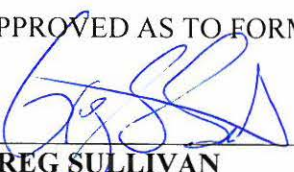


Jeffrey K. Krauss
Mayor

ATTEST:



APPROVED AS TO FORM:


A horizontal line is drawn across the signature.

GREG SULLIVAN
City Attorney