

ORDINANCE NO. 1093

An ordinance to amend and reenact chapter 20-06 of the Valley City Municipal Code relating to the city lodging tax.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF VALLEY CITY, BARNES COUNTY, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF VALLEY CITY, NORTH DAKOTA:

Section 1. Amendment. Chapter 20-06 of the Valley City Municipal Code is amended and reenacted as follows.

CHAPTER 20-06. CITY LODGING TAX

Section 20-06-01. Lodging tax imposed.

The City of Valley City does hereby impose a city tax upon the gross receipts of retailers on the leasing or rent of hotel, motel, or other accommodations within the City of Valley City for periods of less than 30 consecutive calendar days or one month. The tax imposed by this chapter must be in addition to the state sales tax on rental accommodations provided in chapter 57-39.2 of the North Dakota Century Code. The amount of the tax shall be as follows:

1. A two-percent lodging tax which must be deposited in the visitors' promotion fund.
2. A one-percent lodging tax which must be deposited in the visitors' promotion capital construction fund.

Section 20-06-02. Disposition of lodging tax.

There are hereby established a "Visitors' Promotion Fund" and "Visitors' Promotion Capital Construction Fund" into which shall be deposited all proceeds received by the city from the lodging tax as set forth in section 20-06-01. Disbursements from said fund, less costs of collection and administration of the lodging tax, must be used generally for tourism and to promote, encourage and attract visitors to come to the city and use the travel and tourism facilities within the city.

Section 20-06-03. Administration of Funds.

One or more local destination marketing organizations, which must include Valley City Tourism, shall serve as an advisory committee to the Board of City Commissioners in administering the proceeds from the taxes collected under this chapter. In addition, the Board may contract with any person, firm, association, corporation, or limited liability company to carry out the purposes of the Visitors' Promotion Fund or the Visitors' Promotion Capital Construction Fund. The operating budget for administration of the Funds described herein must be established annually by the advisory committee and submitted to the Board of City Commissioners for approval.

Section 20-06-04. Collection of lodging tax.

The lodging tax shall be collected by the City of Valley City under the direction and supervision of the City Finance Director ("Director"). The Director is authorized to create, publish and to require

the use of such tax return forms and information reports as in the Director's judgment is necessary to collect the tax provided for herein. The City may retain administrative costs in an amount determined by the Director, not to exceed three percent of the total amount collected.

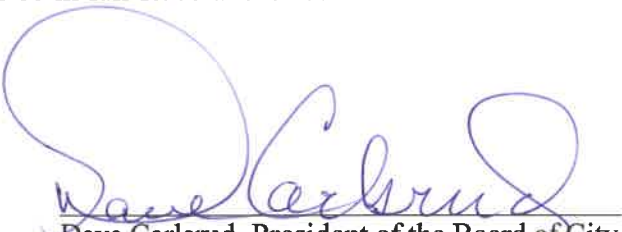
Section 20-06-05. Tax payments and penalties.

The tax imposed herein shall be paid as nearly as practical in accordance with the payment and penalty provisions of N.D.C.C. Ch. 57-39.2. The general penalty provisions set forth in Title 1 of the Valley City Municipal Code are also applicable hereto. Officers of any corporation required to remit taxes imposed by this chapter are personally liable for the failure of the corporation to file required returns or remit required payments. The dissolution of a corporation shall not discharge an officer's liability for a prior failure of the corporation to make a return or remit the tax due.

Section 2. Any ordinances and resolutions of the City of Valley City which are in conflict with this ordinance are hereby repealed.

Section 3. Should any part of this ordinance be declared unconstitutional or invalid, the remaining portion thereof will remain in full force and effect.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its final passage and approval.



Dave Carlsrud, President of the Board of City
Commissioners, City of Valley City

ATTEST:



Avis Richter, Finance Director

Introduction and First Reading: December 21, 2021

Second Reading, Final Passage, and Effective Date: January 4, 2022