ORDINANCE NO. 01-403

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
SUBMITTING TO THE VOTERS AN ORDINANCE
AUTHORIZING AN INCREASE IN THE TRANSIENT OCCUPANCY TAX

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. ELECTION CALLED. The City Council of the City of Los Altos submits the following ordinance amending the City's Transient Occupancy Tax rate to the voters of the City of Los Altos at an election to be held on Tuesday, November 6, 2001.

SECTION 2. FULL TEXT OF MEASURE. Complete text of the proposed ordinance amendment shall be:

"AN ORDINANCE OF THE CITY COUNCIL OF LOS ALTOS
PROVIDING FOR AN INCREASE IN THE TRANSIENT OCCUPANCY
TAX RATE NOT TO EXCEED ELEVEN PERCENT (11%)

The People of the City of Los Altos do ordain as follows:

SECTION 1. AMENDMENT OF CODE SECTION 3.36.020
OF THE LOS ALTOS MUNICIPAL CODE.

"Section 3.36.020 of the Los Altos Municipal Code is hereby amended to read as follows:

3.36.020 Tax Imposed.

For the privilege of occupancy in any hotel, each transient shall be subject to, and shall pay, a tax in the amount not to exceed eleven percent (11%) of the rent charged by the operator. The City Council shall have the authority to set the rate at eleven percent or any lesser rate as the Council shall determine by resolution. The tax shall constitute a debt owed by the transient to the city which tax shall be extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, the proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator.

Section 2. Determination of Amount to be Raised. Each year following adoption of the City's annual budget, the City Council will determine the rate to be charged for the transient occupancy tax and

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shall set that rate in an amount not to exceed the rate authorized by this ordinance or any lesser rate as the Council shall determine by Resolution.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

Section 4. Amendment or Repeal. This ordinance or any provision thereof may only be amended or repealed by approval of the voters voting on the proposition at any initiative or referendum election.

Section 5. Publication. A summary of this ordinance shall be published in the Los Altos Town Crier, as provided for in Government Code § 36937.

Section 6. Effective Date: This ordinance shall be adopted if approved by a majority of the voters voting at a general election to be held on Tuesday, November 6, 2001, and go into effect ten (10) days after the City Council has, by resolution, declared that such measure was approved by a majority of the voters voting thereon."

SECTION 3. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid such invalidity shall not affect any other provision or application, and to this end the provisions of the ordinance are declared to be severable.

SECTION 4. PUBLICATION. A summary of this ordinance shall be published in the Los Altos Town Crier, as provided for in California Government Code Section 36937.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective immediately upon its adoption by the City Council of the City of Los Altos.

The foregoing ordinance was duly and regularly adopted at a meeting of the City Council of the City of Los Altos on August 7, 2001, by the following vote:

Ayes: Mayor Lear, Councilmembers Becker, Casto, and Moss
Noes: None
Absent: Councilmember La Poll

King Lear, Mayor

ATTEST:

Carol Scharz, City Clerk

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