

# CONVENTION & VISITORS BUREAU BOARD

## ARTICLE II. - LODGING TAX

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Director* means the director of finance of the city.

*Lodger* means the person obtaining lodging from an operator.

*Lodging* means the furnishing for a consideration of lodging by a hotel, motel, dormitory or roominghouse except where such lodging shall be for a continuous period of 30 days or more to the same lodger. The furnishing of rooms by religious organizations shall not constitute lodging for purposes of this article.

*Motel* means a roadside hotel for motorists.

*Operator* means a person who provides lodging to others or any officer, agent or employee of such person.

*Rent* means the total consideration valued in money charged for lodging whether paid in money or otherwise, but shall not include any charges for services rendered in connection with furnishing lodging other than the room charge itself.

(Ord. No. 668 2nd series, § 1, 12-18-2012)

## Sec. 70-22. - Imposition.

- 1) There is hereby imposed a tax of four and one-half percent on the rent charged by an operator for providing lodging to any person. The tax shall be stated and charged separately and shall be collected by the operator from the lodger. The tax collected by the operator shall be a debt owed by the operator to the city and shall be extinguished only by payment to the city. In no case shall the tax imposed by this article upon an operator exceed the amount of tax, which the operator is authorized and required by this article to collect from a lodger.
- 2) The officially recognized local convention or tourism bureau (hereafter referred to as the "bureau") shall be established to promote convention, visitor, and tourism economic development activities benefitting the city and have all powers, rights, duties, and obligations set forth in Minn. Stat. § 469.190, inclusive, as amended, and other law and to be further set forth by ordinance adopted by the city council except as otherwise limited as follows:
  - a) The bureau's board of directors shall be composed of nine voting members. The voting members shall include: one active member of the Marshall Area Chamber of

Commerce as they shall appoint; three active lodging operators as they shall appoint; and five additional representatives, not serving as members of any of the aforementioned organizations or lodging operators with designated appointments, who reside within the incorporated municipal boundaries of the city and are appointed by the mayor and confirmed by the city council. The bureau shall also include one non-voting liaison member who is a member of the city council and is appointed by the mayor and confirmed by the city council.

- b) Meetings of the bureau shall be public. Written notice of the date, time, place, and agenda of the meeting must be posted at its place of business and at the city officially designated board at least three days before the meeting. In addition to posting notice, the bureau must also provide advance notice to each person who has filed a written request for notice of special meetings with the bureau.
- c) The bureau shall annually present the city council at a scheduled meeting the final proposed budget prior to adoption.
- d) The bureau shall complete an audit at their expense for its past fiscal year to be provided and presented to the city after completion.
- e) The bureau shall annually present to the city council at a scheduled meeting a report illustrating the expenditures and activities of the bureau for the previous fiscal year.
- f) The city council must authorize the official location of the bureau for purposes of day to day operations by a majority approval following a public hearing at a regularly scheduled meeting.
- g) The bureau shall govern under formally adopted bylaws and other written policies and procedures as it shall determine necessary and appropriate. Such bylaws and other written policies shall be provided as adopted and amended from time to time to the city clerk.
- h) The bureau shall make available all bylaws, policies, procedures, financial records, payroll records, documents and other relevant information to the city upon request to ensure appropriate disposition of public tax proceeds.