

RESOLUTION NO. 13 - ____

A RESOLUTION AMENDING CITY OF BILLINGS RESOLUTION NUMBER 07-18593 BY CREATING TWO CLASSIFICATIONS OF HOTELS WITHIN THE BILLINGS TOURISM BUSINESS IMPROVEMENT DISTRICT. ASSESSING \$1 PER OCCUPIED ROOM NIGHT FOR SMALL HOTELS (< 60 ROOMS) AND \$2 PER OCCUPIED ROOM NIGHT FOR LARGE HOTELS (> OR = TO 60 ROOMS)

WHEREAS, the 2007 Montana Legislature and the Governor approved legislation that allows local governments to create Tourism Business Improvement Districts, effective October 1, 2007; and

WHEREAS, the Billings City Council created the Tourism Business Improvement District (Business Improvement District No. 002) on August 27, 2007 by adopting Resolution No. 07-18593; and

WHEREAS, the Billings Tourism Business Improvement District Board of Trustees petitioned the Billings City Council to increase the occupied room night assessment for hotels with 60 or more rooms; and

WHEREAS, the Billings City Council must amend Sections 8 and 9 of Resolution No. 07-18593 in order to change the occupied room night assessment,

BE IT RESOLVED by the Billings Montana City Council that Resolution No. 07-18593, Sections 8 and 9 are amended as follows:

Section 8. Property To Be Assessed. All hotels, defined as any structure, or any portion of any structure, which are occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and including any hotel, inn, motel, or other similar structure or portion thereof, with six (6) or more rooms that are within the District are to be assessed for the costs of operating the Tourism Business Improvement District, except that stays by persons who are otherwise exempt from paying a transient occupancy tax (a.k.a. lodging facility use tax), as provided in Sections 15-65-101 through 15-65-136 MCA, shall be exempt from the assessment.

Section 9. Assessments. All hotels, as defined in Section 8, that are within the District will be assessed for their proportionate share of the costs of maintaining the activities of the Tourism Business Improvement District as prescribed in Section 7-12-1133(2)(c) M.C.A. The assessments to fund the work plan for each fiscal year are to be collected from all hotels with six (6) or more rooms within the boundaries of the district except that stays by persons whom are otherwise exempt from paying a transient occupancy tax (a.k.a. lodging facility use tax), as provided in Sections 15-65-101 through 15-65-136 MCA, shall be exempt from the assessment.

Two (2) classes of hotels shall be assessed as follows:

Class 1, hotels with 6 to 59 rooms - \$1/occupied room night
Class 2, hotels with 60 or more rooms - \$2/occupied room night

The assessments may be modified annually by adoption of a resolution or adoption of the City's budget.

Section 12: Effective Date. The effective date for this resolution shall be July 1, 2013.

APPROVED by the City Council of the City of Billings, Montana this 10th day of June, 2013.

THE CITY OF BILLINGS:

By: _____
Thomas W. Hanel, Mayor

ATTEST:

By: _____
Cari Martin, City Clerk