

**BILL # 213-22**

**AN ORDINANCE AMENDING SECTION 2-771 "CREATED" AND SECTION 2-772 "POWERS" OF CHAPTER 2 "ADMINISTRATIVE CODE" OF THE CODE OF ORDINANCES TO CLARIFY MATTERS RELATED TO THE CREATION, POWERS, AND DUTIES OF THE TOURISM COMMISSION AS IT RELATES TO DETERMINING HOW THE TRANSIENT GUEST (HOTEL/MOTEL) SALES TAX REVENUE SET OUT IN CHAPTER 27, ARTICLE IV OF THE CODE OF ORDINANCES WILL BE USED.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI, AS FOLLOWS:

**SECTION 1.** That Chapter 2, Article V, of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 2-771, entitled "Created" and enacting in lieu thereof a new Section 2-771 to be entitled and read as follows:

Sec. 2-771. Created.

There is hereby created the tourism commission. The commission shall be a commission of the city and shall not have separate authority to sue or be sued and shall administer its duties through the authority granted by the city council as provided herein.

**SECTION 2.** That Chapter 2, Article V, of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by repealing Section 2-772, entitled "Powers" and enacting in lieu thereof a new Section 2-772 to be entitled and read as follows:

Sec. 2-772. Powers.

The revenue received from the transient guest tax approved by a vote of the people pursuant to the adoption of Special Ordinance No. 8176 (March 31, 2011) shall be deposited by the director of finance in a special program and used for the purpose of funding the promotion of tourism and convention facilities, including capital expenditures therefor. The commission shall administer the monies within the limits of the budget approved by the city council.

Not later than March 1st of each year, in conjunction with the city's budget process, the commission shall submit detailed proposals for the expenditure of the funds contained in the 2011 transient guest tax program, describing the connection of each proposed expenditure to the promotion of tourism and convention facilities through downtown and riverfront development projects. The city council may approve, modify, or reject any proposal and its decisions shall be reflected within the annual budget of the city.

Expenditures of the tax funds shall thereafter be made in conformance with the procedures required by the city code and state law for other city expenditures. Contracts and expenditures shall only be authorized and approved by the city council; provided, however, that no expenditure of funds from the 2011 transient guest tax program may be approved by the city council prior to the submission of such expenditure to the tourism commission for its recommendation to the city council. The recommendation of the tourism commission shall not be binding upon the city council.

- SECTION 3.** That any ordinances or parts of ordinances in conflict with this ordinance, be and hereby are, repealed.
- SECTION 4.** That if any provision of this ordinance is found to be invalid, such provision shall be considered to be severable from the other parts of this ordinance and shall not affect the validity of the remaining parts of this ordinance.
- SECTION 5.** That this ordinance shall be in full force and effect from and after date of passage.

Approved as to form:

\_\_\_\_\_  
City Attorney

Passed: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor