

CITY OF ST. CHARLES

ORDINANCE NO. 1995-M-32

AN ORDINANCE AMENDING CHAPTER 3.32
"HOTEL OPERATORS' OCCUPATION TAX"
OF THE ST. CHARLES MUNICIPAL CODE

ADOPTED BY THE

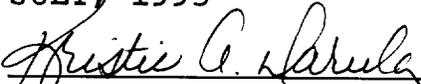
CITY COUNCIL

OF THE

CITY OF ST. CHARLES

THIS 17TH DAY OF JULY, 1995

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES,
ILLINOIS, THIS 21ST DAY OF
JULY, 1995



CITY CLERK

(S E A L)

DATE OF PUBLICATION 7/21/95
NEWSPAPER Pamphlet Form

REFER TO:
MINUTES 7/17/95
PAGE _____

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE
AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:

1. That Chapter 3.32 "Hotel Operators' Occupation Tax," Section 3.32.020 "Rate - Exemption," of the St. Charles Municipal Code be and is hereby amended by deleting the same and substituting the following therefor:

3.32.020 Rate - Exemption.

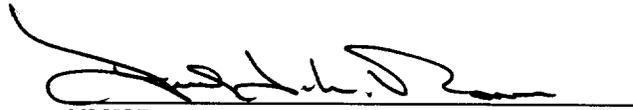
- A. A tax is imposed upon persons engaged in the city in the business of renting, leasing or letting rooms in a hotel at the rate of **five (5)** percent of ninety-four (94) percent of the gross rental receipts from such renting, leasing, or letting; excluding, however, from gross rental receipts, the proceeds of such renting, leasing or letting to permanent residents of that hotel.
- B. No funds received pursuant to this chapter shall be used to advertise for or otherwise promote new competition in the hotel business.
- C. Nothing in this chapter shall be construed to authorize a tax to be imposed upon the privilege of engaging in any business which under the Constitution of the United States, may not be made the subject of taxation by the State of Illinois.
- D. Persons subject to the tax imposed by this chapter may reimburse themselves for their tax liability under this chapter by separately stating such tax as an additional charge, which charge may be stated in combination, in a single amount, with the state tax imposed under "The Hotel Operators' Occupation Tax Act," 35 ILCS 510/1 et seq. (1992).
- E. If any hotel operator collects an amount (however designated) which purports to reimburse such operator for a hotel operators' occupation tax liability measured by receipts which are not subject to hotel operators' occupation tax, or if any hotel operator, in collecting an amount (however designated) which purports to reimburse such operator for hotel operators' occupation tax liability measured by receipt which are subject to tax under this chapter, collects more from the customer than the operators' hotel operators' occupation tax liability in the transaction is, the customer shall have a legal right to claim a refund of such amount from such operator. However, if such amount is not refunded to the customer for any reason, the hotel operator is liable to pay such amount to the comptroller.

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the city of St. Charles. However, the ordinance shall not be effective before September 1, 1995.

PRESENTED to the City Council of the city of St. Charles, Illinois, this 17th day of July, 1995.

PASSED by the City Council of the city Council of the city of St. Charles, Illinois, this 17th day of July, 1995.

APPROVED by the Mayor of the city of St. Charles, Illinois, this 17th day of July, 1995.


MAYOR

ATTEST:


City Clerk

COUNCIL VOTE:

Ayes: 14

Nays: 0

Absent: 0

STATE OF ILLINOIS)
) SS.
COUNTIES OF KANE AND DUPAGE)

C E R T I F I C A T E

I, KRISTIE A. DARULA, certify that I am the duly elected and acting municipal clerk of the city of St. Charles, Kane and DuPage Counties, Illinois.

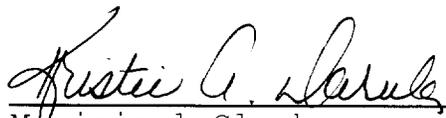
I further certify that on July 17, 1995, the Corporate Authorities of such municipality passed and approved Ordinance No. 1995-M-32, entitled

"AN ORDINANCE AMENDING CHAPTER 3.32 'HOTEL OPERATORS' OCCUPATION TAX' OF THE ST. CHARLES MUNICIPAL CODE",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1995-M-32, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 21, 1995, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 18th day of July, 1995.



Municipal Clerk

(S E A L)