

ARTICLE 11.200 HOTEL OCCUPANCY TAX

Sec. 11.201 Levied

There is hereby levied a tax upon the cost of occupancy of sleeping rooms in hotels, located within the city or within the city's extraterritorial jurisdiction ("ETJ"), for which the occupancy cost is two dollars (\$2.00) or more per day. Such occupancy tax shall be six percent (6%) of the consideration paid for such sleeping room. (Ordinance 06-08-03-01, sec. 1, adopted 8/3/06)

Sec. 11.202 Collection

Every person owning, operating, managing or controlling any hotel within the city or its ETJ ("person") shall collect the tax imposed and provided in this article. (Ordinance 06-08-03-01, sec. 2, adopted 8/3/06)

Sec. 11.203 Tax Due Date

On or before the last day of the month following each calendar quarter, every person required to collect the tax imposed herein shall file a report with the city secretary showing the consideration paid for all sleeping rooms in the preceding quarter and the amount of tax collected on such occupancies. Such person shall pay the tax due to the city at the time of filing such report. (Ordinance 06-08-03-01, sec. 3, adopted 8/3/06)

Sec. 11.204 Deposits and Uses

All hotel occupancy taxes paid to and received by the city shall be deposited in a separate account entitled the hotel motel occupancy account ("account"). The funds and balances of the hotel motel occupancy account shall be managed and invested in compliance with the city's investment policy and all earnings of such account shall be deposited in and remain in such account. Subject to the direction of this and future city councils, the funds in the account shall be reserved, held, increased or dispersed for any purpose allowed by Chapter 351, Subchapter B, Texas Tax Code, as amended from time to time. (Ordinance 06-08-03-01, sec. 4, adopted 8/3/06)

Sec. 11.205 Tourism

Subject to the annual budget which may be adopted by the city council, the city council may at its sole discretion appropriate all or any portion of the funds contained in the account for the advertisement of the city and promotion of tourism within the city. Any or all portions of such funds may be paid to the Lago Vista Chamber of Commerce to fund and pay the costs, expenses and fees for services of the Chamber of Commerce in advertising the city and promoting tourism pursuant to an agreement to be entered into between the city and the Chamber of Commerce. The city council may at its sole discretion through the annual budget provide funds from the account [for] any other community event, agency and/or organization it deems appropriate as provided in an agreement so long as the funds which are provided for the event, agency and/or organization are used for the advertisement or promotion of tourism as allowed under the laws of the state. (Ordinance 06-08-03-01, sec. 5, adopted 8/3/06)

Sec. 11.206 Violation

Any person who shall fail to file a report as required herein or who shall fail to pay the tax as imposed herein when said report or payment is due, shall forfeit five percent (5%) of the amount due as a penalty. In the event any such past due tax is not paid within thirty (30) days after the due date, the person shall forfeit an additional five percent (5%) of such tax. Delinquent taxes shall draw interest at the rate of six percent (6%) per annum beginning sixty (60) days from the date such taxes were due and payable. (Ordinance 06-08-03-01, sec. 6, adopted 8/3/06)

Sec. 11.207 Penalty

In addition to the penalty stated in [Section 11.206](#) above, any person required by this article to collect the tax imposed herein, or to make reports as required herein, who fails to collect such tax, file such report, or pay such tax, or who shall file a false report, shall be deemed guilty of a misdemeanor, for each day such failure occurs, and upon conviction shall be punished by a fine in accordance with [Section 1.109](#) of this Code for each offense. (Ordinance 06-08-03-01, sec. 7, adopted 8/3/06)