

ORDINANCE NO. O-21-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, RELATING TO A PERMANENT INCREASE IN THE TRANSIENT LODGING (BED) TAX LEVIED BY THE CITY OF BISBEE BY AN ADDITIONAL TWO AND ONE HALF PERCENT (2.5%) OF THE GROSS REVENUES OR VALUES THAT ARE SUBJECT TO SUCH TAX, IN ADDITION TO THE APPLICABLE TRANSACTION PRIVILEGE TAX RATE; AMENDING THE CITY TAX CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the City Council of the City of Bisbee, County of Cochise, State of Arizona did cause to be submitted to the qualified electors of the City at a General Election held in and for the City on the 3rd day of November, 2020, pursuant to City Charter, Article VI, Section 6.02(g), the question of a permanent Two and One Half Percent (2.5%) increase in the Transient Lodging (Bed) Tax, which would increase this tax rate from Two and One Half Percent (2.5%) to Five Percent (5%) in addition to the applicable transaction privilege tax rate; and,

WHEREAS, the November 3, 2020 election returns have been presented to and have been canvassed by the City Council; and,

WHEREAS, the election results show the majority of qualified electors approved this transient lodging (bed) tax increase.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AS FOLLOWS:

SECTION I. The tax rate in the following section of the Tax Code of the City of Bisbee is increased from Two and One Half Percent (2.5%) to Five Percent (5%):

Section 8A-447 Rental, leasing, and licensing for use of real property: additional tax upon transient lodging.

SECTION II. Effective Date: The provisions of this Ordinance shall become effective March 1, 2021.

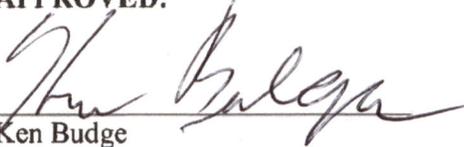
SECTION III. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed upon the effective date of this Ordinance.

SECTION IV. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of remaining portions of this Ordinance, to the full extent it can be enforced, consistent with applicable law.

SECTION V. Violations: Any person found guilty of violating any provision of this amendment to the Tax Code of the City of Bisbee shall be guilty of a class one (1) misdemeanor and shall be punished as provided pursuant to the Tax Code. Each day that a violation continues shall be a separate offense punishable as herein above described.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee, County of Cochise, State of Arizona, on this 16th day of February, 2021

APPROVED:



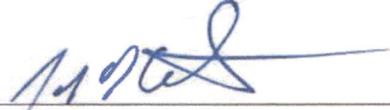
Ken Budge
Mayor

ATTESTED:



Ashlee Coronado
City Clerk

APPROVED AS TO FORM:



Joseph D. Estes, City Attorney
Gust Rosenfeld, P.L.C.