

ORDINANCE NO. 5692

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) 3.14, "TRANSIENT ROOM TAX" AND DECLARING AN EMERGENCY.

WHEREAS, the City recently contracted with Boldt, Carlisle & Smith, LLC to conduct an audit of hotels and motels in the community and evaluate compliance with provisions of Albany Municipal Code chapter 3.14, the Transient Room Tax Ordinance; and

WHEREAS, the findings of the audit were presented to the Council Audit Committee on Friday, April 12, 2008; and

WHEREAS, the general findings in the audit report suggested changes in the Municipal Code to clarify the intent of discounts for seniors, AAA, Good Sam Club, etc.; the exemption for greater than 30 consecutive days of occupancy; and the exemption for federal employees traveling on federal business; and

WHEREAS, the Council Audit Committee also discussed providing an exemption for temporary emergency housing paid by the Red Cross or any other relief organization.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO HEREBY ORDAIN AS FOLLOWS:

Section 1: AMC 3.14 is amended to read as follows:

3.14.020(8) "Rent" means the consideration charged, whether or not received by the operator, for the occupancy of space in a hotel valued in money, goods, labor, credits, property or other consideration valued in money ~~without any deduction~~ **less discounts for seniors, AAA, Good Sam Club, etc.**

3.14.020(12) "Transient" means any individual who exercises occupancy or is entitled to occupancy in a hotel for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. The day a transient checks out of the hotel shall not be included in determining the 30-day period if the transient is not charged rent for that day by the operator. Any such individual so occupying space in a hotel shall be deemed to be a transient until the period of 30 days has expired, unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. **Any individual so occupying space in a hotel for consecutive days beyond the 30-day period shall no longer be deemed to be a transient.** In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient.

3.14.050(5) **Any occupant who is a federal employee traveling on federal business.**

3.14.050(6) **Any occupant whose rent is being paid by the Red Cross or other relief organization for temporary emergency housing.**

Section 2: Inasmuch as this Ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the City of Albany, an emergency is hereby declared to exist. This ordinance will be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council: April 23, 2008

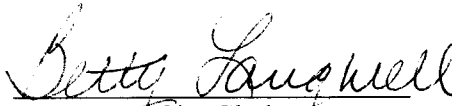
Approved by the Mayor: April 23, 2008

Effective Date: April 23, 2008



Mayor

ATTEST:



City Clerk