

ORDINANCE NO ____:2019

AN ORDINANCE AMENDING THE CITY OF MOREHEAD, KENTUCKY
CODE OF ORDINANCES, TITLE 3, ADMINISTRATION, CHAPTER 34, BOARDS AND
COMMISSIONS, (RECREATIONAL, TOURIST, AND CONVENTION COMMISSION) SECTION
34.43 TRANSIENT ROOM TAX, OF THE CITY OF MOREHEAD CODE OF ORDINANCES TO
PROVIDE THAT SHORT TERM RENTALS ARE SUBJECT TO THE TRANSIENT ROOM TAX

WHEREAS, the City of Morehead collects a transient room tax and desires that said tax apply to short term rentals such as those operated by Airbnb;

WHEREAS, Airbnb after lengthy discussions with Kentucky Travel Industry Association acknowledged that local transient room tax was applicable to their operations;

WHEREAS, in order to collect said tax, the current ordinance must be amended;

WHEREAS, the Morehead Recreational, Tourist and Convention commission has requested that the board of City Council amend their ordinance in accordance with the recommendation;

NOW, THEREFORE, BE IT ORDAINED by the Board of City Council of the City of Morehead, Kentucky that Title 3, Administration, Chapter 34, Boards and Commissions, (Recreational, Tourist and Convention Commission) Section 34.43 Transient Room Tax be amended as follows:

34.43 Transient Room Tax

(A) For the purpose of the operation of the Morehead Recreational, Tourist and Convention Commission, there is imposed and levied a transient room tax of three percent (3 %) of the gross rent for every occupancy of a suite, room, or rooms charged by all persons, companies, corporations and other like or similar persons, groups, or organizations doing business as motor courts, motels, hotels, inns, or like or similar accommodations businesses in the city.

(B) In addition to the above three percent (3%), there is imposed and levied a special transient room tax of one percent (1%) of the gross rents for every occupancy of a suite, room, or rooms charged by all persons, companies, corporations, and other like or similar persons, groups or organizations doing business as motor courts, motels, hotels, inns or like or similar accommodations businesses in the city. This additional one percent (1%) transient room tax is levied for the sole purpose of meeting the operating expenses of the Morehead Conference Center.

(C) Short Term Rentals

1. Definitions. For the purpose of this section, the following definitions shall apply:

a. Host shall mean any person who owns or operates a short term rental.

b. Hosting platform shall mean an internet-based platform that generally allows an owner or tenant to advertise the short-term rental through a website and provides a means for potential transient users to arrange rental and payment through the platform.

c. Short term rental shall mean a dwelling unit that is rented, leased or otherwise assigned for a tenancy of less than thirty (30) consecutive days, where no meals will be served. This term does not include hotel or motel rooms, extended stay hotels, bed and breakfast facilities or boarding and lodging house rooms.

d. Transient user shall mean a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, and other agreements for a period of less than thirty (30) consecutive days.

2. Payment of taxes or fees. Each host shall be required to pay any applicable taxes or fees in accordance with Chapter 34, Section 43 of the Code of Ordinances.

3. Payment of transient room taxes required. Each host shall be required to collect and pay to the City of Morehead all transient room taxes required pursuant to Chapter 34, Section 43 of the Code of Ordinances. The collection and remission of transient room taxes may be paid by a hosting platform or other part on behalf of a host, but the host is ultimately responsible for payment of the taxes.

4. Compliance with federal, state and local laws and regulations. Each separate short-term rental shall be in compliance with any currently applicable laws and regulations of the federal, state or local government, as may be amended from time to time including, but not limited to, laws or regulations on nondiscrimination, zoning, building, safety, property maintenance, health and sanitation, fire, electrical, plumbing, mechanical, and other applicable laws.

INTRODUCED, SECONDED AND GIVEN FIRST READING at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this the _____ day of _____, 2019.

INTRODUCED, SECONDED AND GIVEN SECOND READING at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this the _____ day of _____, 2019.

APPROVED:

ATTESTED:

LAURA WHITE-BROWN, MAYOR

CRISSY CUNNINGHAM, CITY CLERK