

Ordinance No. 38
Series 1984

"AN ORDINANCE ESTABLISHING THE HENDERSON
COUNTY TOURIST COMMISSION"

WHEREAS, the General Assembly of the Commonwealth of Kentucky adopted KRS 91A.350 which authorized the creation of a Tourist Commission, and;

WHEREAS, the Henderson County Fiscal Court deems it to be in the best interest of the County to create a Tourist Commission to promote tourist activity in the county, now, therefore,

BE IT ORDAINED and ENACTED by the Fiscal Court of the County of Henderson, of the Commonwealth of Kentucky, that:

1. The Henderson County Tourist Commission is hereby established for the purpose of promoting tourist activities in Henderson County.

2. The Commission shall be composed of seven members to be appointed by the Mayor of the City of Henderson and the Henderson County Judge-Executive in the following manner:

(A) Three commissioners from a list submitted by the Henderson Hotel and Motel Association.

(B) One commissioner from a list submitted by the Henderson County Restaurant Association.

(C) One commissioner from a list submitted by the Audubon Area Chamber of Commerce.

(D) One commissioner by the Mayor of the City of Henderson.

(E) One commissioner by the Henderson County Judge-Executive.

3. Vacancies on the Commission shall be filled in the same manner as the original was appointed.

4. Commissioners shall be appointed for a term of three years, provided that in making the initial appointment the Mayor and the County Judge-Executive shall appoint two commissioners for a term of three years, two commissioners for a term of two years and three commissioners for a term of one year. Subsequent appointments shall be for three year terms. The Commission shall make an itemized quarterly report to the ^{Fiscal Court} ~~Commission~~.

5. The Commission shall annually submit to the Henderson County Fiscal Court a request for funds for the operation of the Commission for the ensuing year no later than April 15 of each year.

6. All Ordinances or parts of Ordinances in conflict herein are repealed to the extent of such conflict.

7. This Ordinance shall become effective upon its passage and approval as provided by law.

Upon first reading of the foregoing Ordinance, it was moved by Magistrate Wilson, seconded by Magistrate Adkins, that same be adopted on its first reading.

WHEREUPON, the vote was called.

Upon roll call the votes stood:

Magistrate Adkins	<u> Aye </u>
Magistrate Buley	<u> Aye </u>
Magistrate Nichols	<u> Aye </u>
Magistrate Nunley	<u> Aye </u>
Magistrate Wilson	<u> Aye </u>

WHEREUPON, Judge-Executive Pritchett declared the Ordinance adopted upon its first reading and declared that it be presented for second reading on February 6, 1984 at the regular meeting of the Fiscal Court.

On second reading of the foregoing Ordinance, it was moved by Magistrate Adkins, and seconded by Magistrate Nunley, that the Ordinance be adopted.

WHEREUPON, the vote was called.

Upon roll call the votes stood:

Magistrate Adkins	<u>Aye</u>
Magistrate Buley	<u>Aye</u>
Magistrate Nichols	<u>Aye</u>
Magistrate Nunley	<u>Aye</u>
Magistrate Wilson	<u>Absent</u>

WHEREUPON, County Judge-Executive A. G. Pritchett declared the Ordinance adopted, affixed his signature and the date thereto and ordered that the same be recorded.

ATTEST:

Virginia Clark
Virginia Clark
Fiscal Court Clerk

A. G. Pritchett
A. G. Pritchett
County Judge-Executive

February 6, 1984
Date

"AN ORDINANCE IMPOSING A TRANSIENT ROOM TAX"

WHEREAS, the Fiscal Court of Henderson County has established the Henderson County Tourist Commission, and;

WHEREAS, the Fiscal Court desires to provide funds for the operation of the Commission by imposing a transient room tax pursuant to KRS 91A.390, now, therefore,

BE IT ORDAINED and ENACTED by the Fiscal Court of the County of Henderson, of the Commonwealth of Kentucky, that:

1. To provide funds for the operation of the Tourist Commission there is hereby imposed a transient room tax of 3% on the gross rent received for the occupancy of a suite, room or rooms charged by motor courts, motels, hotels, inns or similar businesses. Occupancy for more than 30 consecutive days shall be exempt from the transient room tax.

2. The transient room tax shall remain in force and effect for a period of three years from date of its enactment and shall expire at the end of three years unless renewed by Ordinance of the Henderson County Fiscal Court.

3. Motor courts, motels, hotels, inns or similar businesses shall collect the transient room tax and shall pay the same to the Henderson County Treasurer. Said taxes shall be paid by the collecting party no later than 30 days following the month in which said taxes were collected. Each collecting agent shall file a return in duplicate on a form provided for said purpose, along with a copy of the collecting agent's Kentucky Sales Tax Return for the same period.

4. Failure to properly complete same and to pay said

taxes within 30 days following the month during which the taxes were collected shall result in a penalty of 6% of the total tax due, plus interest, and shall subject the collecting agent to such criminal remedies as are available in the Kentucky Revised Statutes.

5. All transient room tax monies received by the Henderson County Treasurer shall be disbursed to the Henderson County Tourist Commission and monies not expended by the Commission during any fiscal year shall be used to make up a part of the Commission's budget for the next fiscal year.

6. All Ordinances or parts of Ordinances in conflict herein are repealed to the extent of such conflict.

7. This Ordinance shall become effective upon its passage and approval as provided by law.

Upon first reading of the foregoing Ordinance, it was moved by Magistrate Adkins, seconded by Magistrate Nunley, that same be adopted on its first reading.

WHEREUPON, the vote was called.

Upon roll call the votes stood:

Magistrate Adkins	<u>Aye</u>
Magistrate Buley	<u>Aye</u>
Magistrate Nichols	<u>Aye</u>
Magistrate Nunley	<u>Aye</u>
Magistrate Wilson	<u>Aye</u>

WHEREUPON, Judge-Executive Pritchett declared the Ordinance adopted upon its first reading and declared that it be presented for second reading on February 6, 1984, at the regular meeting of the Fiscal Court.

On second reading of the foregoing Ordinance, it was moved by Magistrate Nichols, and seconded by Magistrate Buley, that the Ordinance be adopted.

WHEREUPON, the vote was called.

Upon roll call the votes stood:

Magistrate Adkins	<u>Aye</u>
Magistrate Buley	<u>Aye</u>
Magistrate Nichols	<u>Aye</u>
Magistrate Nunley	<u>Aye</u>
Magistrate Wilson	<u>(Absent)</u>

WHEREUPON, County Judge-Executive A. G. Pritchett declared the Ordinance adopted, affixed his signature and the date thereto and ordered that the same be recorded.

ATTEST:

Virginia Clark
Virginia Clark
Fiscal Court Clerk

A. G. Pritchett
A. G. Pritchett
County Judge-Executive

February 6, 1984
Date