

ORDINANCE NO. 1018

AN ORDINANCE AMENDING PARAGRAPH 1, SECTION 1, AND PARAGRAPH 1, SECTION 3 OF ORDINANCE NO. 936, FOR THE PURPOSE OF INCREASING THE TAX LEVY FROM ONE PERCENT TO TWO PERCENT UPON THE GROSS RECEIPTS OF HOTELS, MOTELS, RESTAURANTS, CAFES, AND CAFETERIAS IN THE CITY OF EUREKA SPRINGS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Eureka Springs, Arkansas, hereinafter called "the City", has many benefits to offer visitors to the City and is presently unable to take full advantage of its resources for the attraction of visitors; and

WHEREAS, the development of such resources and facilities would result in many economic and other benefits to the City and its inhabitants; and

WHEREAS, the City Council of said city has passed Ordinance No. 936, levying a tax of one percent (1%) upon the gross receipts of hotels, motels, restaurants, cafes and cafeterias in the City; prescribing the procedure for the collection and enforcement of the tax; prescribing the purposes for which revenues derived from collection of the tax may be used; creating a City Advertising and Promotion Commission; and prescribing other matters pertaining thereto; and

WHEREAS, the City is a city of the first class and a portion of the City has been designated as an historic district and is included in the National Register of Historic Places, and

WHEREAS, the General Assembly of the State of Arkansas adopted Act 178 of 1977; said act being an amendment of Act 185 of 1965 as amended by Act 30 of the first Extraordinary Session of 1965, and further amended by Act 123 of 1969, to provide authority by which the City may increase the tax levy as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

Section I. That Paragraph I of Section 1 of Ordinance No. 936 of the

City of Eureka Springs, Arkansas, is hereby amended to read in its entirety as follows, to-wit:

"1. Gross Receipt Tax. A tax of two percent upon the gross receipts or gross proceeds from the renting, leasing or otherwise furnishing of motel or hotel accommodations and upon the gross receipts or gross proceeds of restaurants, cafes and cafeterias in the City of Eureka Springs, Arkansas."

Section II. That Paragraph 1 of Section 3 of Ordinance No. 936 of the City of Eureka Springs, Arkansas, is hereby amended to read in its entirety as follows, to-wit:

"1. Tax Levy. From and after the passage and approval of this Ordinance a tax in the sum of two percent shall be levied upon the gross receipts or gross proceeds upon the renting, leasing or otherwise furnishing of hotel and motel accommodations for profit, and upon the gross receipts or gross proceeds of restaurants and cafes within the corporate limits of the City of Eureka Springs, Arkansas."

Section III. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section IV. It is hereby found and determined by the City Council that the City is in dire need for additional revenues for the establishment and development of tourist oriented facilities, parking facilities and for the advertising and promotion of the City of Eureka Springs, and that this ordinance and the increased tax levied by it are the only reasonable means available for the alleviation of these needs; and the advertisement and promotion of the City and the establishment and development of tourist oriented facilities, parking

facilities and all other uses for which the tax revenues may be legally expended are essential for the continued development of the City of Eureka Springs and to the welfare of the inhabitants thereof.

Therefore, this ordinance being necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage, approval and publication. Collection of the increased tax shall commence at 12: 01 o'clock A.M. on April 1, 1977.

PASSED, APPROVED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 26th DAY OF MARCH, 1977.

APPROVED:

BY: Charles F. Robertson
Charles F. Robertson, Mayor

ATTEST:

June I. Moncravie
June I. Moncravie, City Clerk