

11-0-0513

(Do Not Write Above This Line)

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO AMEND CHAPTER 146, ARTICLE III, SECTION 146-76, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO INCREASE FROM TEN (10) TO THIRTY (30) THE NUMBER OF DAYS REQUIRED TO ESTABLISH PERMANENT RESIDENCY FOR THE PURPOSE OF PROVIDING EXEMPTIONS FROM THE CITY'S HOTEL OR MOTEL OCCUPANCY TAX, SO AS TO ALIGN WITH SECTION 48-13-51 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; AND FOR OTHER PURPOSES.

ADOPTED BY

MAY 02 2011

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 02/18/11

Referred To: Finance Exec.

Date Referred

Referred To:

Date Referred

Refer 489536-1

First Reading
 Committee Finance/Executive
 Date 3/30/2011
 Chair Eduan
 Referred To Finance/Executive

Committee Finance
 Date 4/23/11
 Chair James
 Action Refer
 Fav, Adv, Hold (see rev. side) Refer
 Other

Members [Signature]
 Refer To [Signature]

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

ADOPTED BY

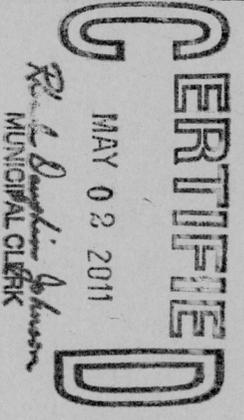
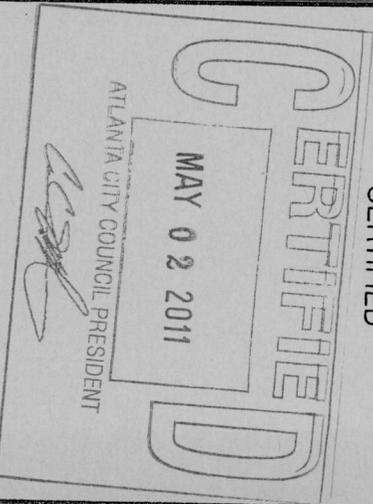
MAY 02

COUNCIL

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

MAY 11 2011

WITHOUT SIGNATURE BY OPERATION OF LAW

AN ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE

11-0-0513

AN ORDINANCE TO AMEND CHAPTER 146, ARTICLE III, SECTION 146-76, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO INCREASE FROM TEN (10) TO THIRTY (30) THE NUMBER OF DAYS REQUIRED TO ESTABLISH PERMANENT RESIDENCY FOR THE PURPOSE OF PROVIDING EXEMPTIONS FROM THE CITY'S HOTEL OR MOTEL OCCUPANCY TAX, SO AS TO ALIGN WITH SECTION 48-13-51 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Section 48-13-51 of the Official Code of Georgia Annotated ("O.C.G.A."), the City of Atlanta (the "City") is authorized to levy and assess a hotel or motel occupancy tax ("Occupancy Tax") for each person occupying a guestroom in a hotel in the City; and

WHEREAS, pursuant to O.C.G.A. § 48-13-51(h)(4), the Occupancy Tax does not apply to charges made for continuous use of any rooms, lodgings, or accommodations after the first 30 days of continuous occupancy; and

WHEREAS, pursuant to Chapter 146, Article III, Section 146-76, of the City Of Atlanta Code Of Ordinances (the "Code"), a permanent resident in a hotel or motel as one continuously occupying a guestroom for at least ten consecutive days; and

WHEREAS, the City desires to amend Chapter 146, Article III, Section 146-76, of the Code to define a "permanent resident" as one who has the right of occupancy in a guestroom in a hotel for at least thirty (30) days instead of ten (10) days, in order to comply with O.C.G.A. § 48-13-51; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1: That the definition of "Permanent Resident" in Chapter 146, Article III, Section 146-76 of the Code, which is currently defined as:

Sec. 146-76. Definitions.

Permanent Resident means any occupant as of a given date who has or shall have occupied or has or shall have the right of occupancy of any guestroom in a hotel for at least ten consecutive days next preceding that date. The right of occupancy for at least ten consecutive days is clearly established through the advance payment of ten days' rent or a lease has been signed in excess of ten days.

be amended to read as follows:



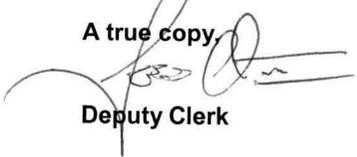
Sec. 146-76. Definitions.

Permanent Resident means any occupant as of a given date who has or shall have occupied or has or shall have the right of occupancy of any guestroom in a hotel for at least thirty consecutive days next preceding that date. The right of occupancy for at least thirty consecutive days is clearly established through the advance payment of thirty days' rent or a lease has been signed in excess of thirty days.

Section 2: The amendment in this ordinance shall become effective immediately upon the Mayor's signature.

Section 3: All ordinances or parts of ordinances in conflict with the provisions herein, are hereby waived to the extent of the conflict.

A true copy,


Deputy Clerk

ADOPTED by the Atlanta Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

MAY 02, 2011

MAY 11, 2011

RCS# 986
5/02/11
2:32 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
NV Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	05-02-11 ITEMS ADVERSED ON CONSENT
1. 11-O-0132 2. 11-O-0494 3. 11-O-0528 4. 11-O-0683 5. 11-O-0268 6. 11-O-0513 7. 11-O-0514 8. 11-O-0515 9. 11-O-0679 10. 11-R-0443 11. 11-R-0618 12. 11-R-0619 13. 11-R-0620 14. 11-R-0621 15. 11-R-0622 16. 11-R-0627 17. 11-R-0628 18. 11-R-0629 19. 11-R-0686 20. 11-R-0613 21. 11-R-0614 22. 11-R-0687 23. 11-R-0689 24. 11-R-0630 25. 11-R-0631 26. 11-R-0632 27. 11-R-0633 28. 11-R-0634 29. 11-R-0635 30. 11-R-0636 31. 11-R-0646 32. 11-R-0649 33. 11-R-0650 34. 11-R-0652 35. 11-R-0554 36. 11-R-0555 37. 11-R-0556	38. 11-R-0557 39. 11-R-0558 40. 11-R-0559 41. 11-R-0560 42. 11-R-0561 43. 11-R-0562 44. 11-R-0563 45. 11-R-0564 46. 11-R-0565 47. 11-R-0566 48. 11-R-0567 49. 11-R-0568 50. 11-R-0569 51. 11-R-0570 52. 11-R-0571 53. 11-R-0572 54. 11-R-0573 55. 11-R-0574 56. 11-R-0575 57. 11-R-0576 58. 11-R-0577 59. 11-R-0578 60. 11-R-0579 61. 11-R-0580 62. 11-R-0581 63. 11-R-0669	64. 11-R-0582 65. 11-R-0583 66. 11-R-0584 67. 11-R-0585 68. 11-R-0586 69. 11-R-0587 70. 11-R-0588 71. 11-R-0589 72. 11-R-0590 73. 11-R-0591 74. 11-R-0592 75. 11-R-0593 76. 11-R-0594 77. 11-R-0595 78. 11-R-0596 79. 11-R-0597 80. 11-R-0598 81. 11-R-0599 82. 11-R-0600 83. 11-R-0601 84. 11-R-0602 85. 11-R-0603 86. 11-R-0604 87. 11-R-0605 88. 11-R-0606 89. 11-R-0607 90. 11-R-0608 91. 11-R-0609 92. 11-R-0610 93. 11-R-0611