

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-10**

**AN ORDINANCE TO AMEND THE CITY OF DAPHNE'S LODGING TAX
ORDINANCE 2022-53, AS ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 6, 2022**

WHEREAS, the City Council of the City of Daphne has adopted an Ordinance to Impose Lodging Taxes, as Ordinance No. 2022-53; and

WHEREAS, the City Council wishes to amend said ordinance to further set forth certain reporting requirements of public entities receiving distributions of the proceeds of the City's Lodging Tax.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA as follows:

SECTION 1. AMENDMENT OF ORDINANCE 2022-53, SECTION 9, USE OF PROCEEDS.

Section 9 of Ordinance 2022-53 is hereby repealed and replaced in its entirety with the following:

SECTION 9. USE OF PROCEEDS

- A. The proceeds collected from the six percent (6%) lodging taxes which are collected described in Section 2(a) and 2(b) are hereby divided as follows:
- (1) Ten percent (10%) shall be paid at least quarterly and used for the purpose of providing funding to the Industrial Development Board (IDB) for the action items, implementation of strategies, and tactics included in the then current Strategic Economic Development Plan as approved and adopted by the City Council. The IDB shall submit annual financial statements within sixty (60) days of the end of the calendar year and monthly bank statements to the City Finance Director as well as minutes of any publicly held meetings to the City Clerk.
 - (2) Five percent (5%) shall be paid at least quarterly and used for the action items, implementation of strategies and purpose of providing funding for the Downtown Redevelopment Authority (DRA) as approved by the City Council. The DRA shall submit annual financial statements within sixty (60) days of the end of the calendar year and monthly bank statements to the City Finance Director as well as minutes of any publicly held meetings to the City Clerk.
 - (3) Thirty-two percent (32%) shall be used for the purpose of continued bay front uses such as acquisitions, development, and maintenance along with the service of debt incurred through the acquisition of bay front property.
 - (4) The remainder of the lodging tax proceeds (53%) shall be used for the purpose of ground related capital for recreation, which does not include such items as trucks or the maintenance of fields.
- B. The proceeds collected from the two-dollar (\$2.00) per night per room occupancy fee described

in Section 2(a) shall be deposited into the Lodging Tax Fund to be appropriated by the City Council pursuant to applicable law.

SECTION 2. OTHER PROVISIONS OF ORDINANCE 2022-53 REMAIN IN EFFECT

All other provisions of Ordinance 2022-53 not amended by this Ordinance are hereby ratified and shall remain in effect.

SECTION 3. CONFLICT WITH OTHER ORDINANCES

Any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, is hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 20th DAY OF May, 2024.

ATTEST:



Robin LeJeune, Mayor


Candace G. Antinarella, MMC, City Clerk