

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: September 12, 2022

FROM: CITY ATTORNEY

SUBJECT: ORDINANCE AMENDING PASADENA MUNICIPAL CODE CHAPTERS 4.44 AND 4.101 TO ENHANCE THE CITY'S ABILITY TO COLLECT UNPAID TRANSIENT OCCUPANCY TAXES AND TOURISM BUSINESS IMPROVEMENT DISTRICT MONIES

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 4 (REVENUE AND FINANCE), CHAPTERS 4.44 AND 4.101 OF THE PASADENA MUNICIPAL CODE RELATED TO COLLECTION OF UNPAID TRANSIENT OCCUPANCY TAXES AND TOURISM BUSINESS IMPROVEMENT DISTRICT MONIES

PURPOSE OF ORDINANCE

As directed by the City Council on July 11, 2022, this ordinance amends the Transient Occupancy Tax ordinance (Chapter 4.44 of the Pasadena Municipal Code) and the Tourism Business Improvement District ordinance (Chapter 4.101) to make the following changes, among others:

- a. Allow the City to file a certificate of lien for outstanding TOT or TBID (i.e., providing that the final City decision confers lienholder rights, without the need to litigate the issue);
- b. Allow enforcement by warrant, seizure and sale of hotel property;
- c. Allow imposition of TOT and TBID liability on successor owners consistent with state law;
- d. Allow imposition of attorney's fees and costs where the City brings an action to recover unpaid TOT and TBID; and
- e. Add criminal and civil penalties in addition to TOT and TBID penalties and interest already allowed.

JNR/gc
Rev. 9/7/22
#S62YA51F0D21WLv1

MEETING OF 09/12/22

AGENDA ITEM NO. 21

REASON WHY LEGISLATION IS NEEDED

This ordinance is needed to enhance the City's ability to collect unpaid Transient Occupancy Taxes and Tourism Business Improvement monies.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Finance Department will implement this ordinance.

FISCAL IMPACT

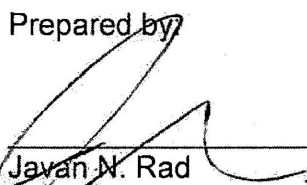
This ordinance will not have any immediate fiscal impact. However, if hotels are delinquent in remitting TOT and TBID, the City's ability to collect as a result of this ordinance will be significantly improved.

Respectfully submitted,



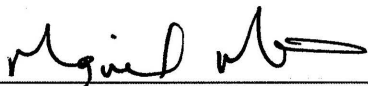
Michele Beal Bagneris
City Attorney

Prepared by



Javan N. Rad
Chief Assistant City Attorney

Concurred By:



Miguel Márquez
City Manager