
MEASURE F

HOTEL AND LODGING TAX MEASURE

To maintain local funding for essential services including: Police and Fire/Emergency Medical Service response, street/road repair, and park maintenance in the City of Rocklin, shall a measure expanding the definition of hotel to include campgrounds, and increasing the existing Transient Occupancy Tax (paid by hotel/lodging guests) from 8% to 10%, providing an estimated \$300,000 annually, with independent audits, until ended by voters, be adopted?

YES _____

NO _____

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE F

Transient Occupancy Tax- Amendment to Rocklin Municipal Code Chapter 5.24

This Measure contains a proposed amendment to Chapter 5.24 of the City of Rocklin Municipal Code with respect to the City's transient occupancy tax (TOT). The Measure would increase the City's Transient Occupancy Tax (TOT) from eight (8) percent to ten (10) percent and expand its application to campgrounds. TOT is a tax charged to guests of hotels and similar short-term lodging, who stay for a period of 30 days or less. Hotel operators collect the tax when guests pay for their accommodations and then remit the tax to the City.

The TOT is a general tax, meaning the additional revenue generated by the increased TOT would be deposited into the City's general fund and may be used for any unrestricted general governmental purpose, including but not limited to police and fire services, street and park maintenance. The financial analysis prepared by the city estimates \$1.1 million in TOT revenues were generated

during fiscal year 2021/2022, with the potential of generating an additional \$300,000 annually if the TOT rate is increased to ten (10) percent.

A "Yes" vote increases the Transient Occupancy Tax rate in the City of Rocklin from eight (8) to ten (10) percent and expands its application to campgrounds.

A "No" vote does not increase the Transient Occupancy Tax rate in the City of Rocklin or expand its application to campgrounds, and the City would continue to collect the tax at its current rate.

The measure requires a simple majority vote for approval, and was placed on the ballot by the Rocklin City Council.

This statement is an impartial analysis of the Measure prepared pursuant to California Elections Code section 9280. If you desire a copy of the Measure, please contact the City Clerk's Office at (916) 625-5560, and a copy will be mailed at no cost to you.

ARGUMENT IN FAVOR OF MEASURE F

One of the top reasons that Rocklin is a premier community is that we are a safe community - one of the safest in Northern California.

A yes vote on Measure F would provide more resources for the city's essential services, including police and fire, and ensure that visitors to our community pay their fair share for the services they use while in Rocklin.

The measure would increase the Transient Occupancy Tax, which is charged on hotel rooms, from 8% to 10% and would equal the rate currently charged by Lincoln and proposed to be charged by Roseville. The charge is a direct and fair way to recover the increased costs associated with visitor stays in Rocklin. In addition, the tax would also apply if a business were to open an RV or campground area for short-term stays. A yes vote will help to maintain quality community services without raising taxes on the City's residents or businesses.

Raising the charge on hotel rooms will not hurt tourism. A 2% increase in TOT equates to about \$2.40 per night, is in line with the region and state, and is much less than major tourist destinations.

The tax dollars generated from TOT fund essential local services; and the proposed increase achieves an important balance between maintaining competitiveness for tourism, while providing an opportunity to fund essential City services.

The dollars raised will help fund critical City services, and none of the money can be taken away from the State. All Measure F revenue will stay here in the City of Rocklin.

Please join us in voting YES on Measure F, and help our City build a stronger local economy and protect important City services.

Kenneth Broadway, Vice Mayor

NO ARGUMENT AGAINST MEASURE F WAS SUBMITTED

FULL TEXT OF MEASURE F SUBMITTED BY THE CITY OF ROCKLIN

ORDINANCE NO.

ORDINANCE OF THE CITY OF ROCKLIN AMENDING THE DEFINITION OF HOTEL AND AMENDING THE TRANSIENT OCCUPANCY TAX RATE BY REPEALING AND REENACTING SECTIONS 5.24.020, 5.24.030, AND 5.24.040 OF CHAPTER 5.24 OF THE ROCKLIN MUNICIPAL CODE REGARDING TRANSIENT OCCUPANCY TAX

The city council of the City of Rocklin does ordain as follows:

Section 1. Section 5.24.020 of Chapter 5.24 of Title 5 of the Rocklin Municipal Code is hereby repealed and replaced in its entirety as follows:

5.24.020 - Definitions:

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter:

"Hotel" means any structure, or any portion of any structure which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer, or campground at a fixed location or other similar structure or portion thereof.

"Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.

"Operator" means the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee or any other capacity. Where the operator performs his or her functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his or her principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall, however, be considered to be compliance by both.

"Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

"Rent" means the consideration charged whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

"Tax administrator" means the City finance manager, or his or her designee.

"Transient" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both, prior and subsequent to the effective date of this chapter may be considered.

Section 2. Section 5.24.020 of Chapter 5.24 of Title 5 of the Rocklin Municipal Code is hereby repealed and replaced in its entirety as follows:

5.24.030 -Tax Imposed - Generally:

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ten percent of the rent charged by the operator. Such tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator.

The tax administrator may make rules and regulations not inconsistent with the provisions of this chapter as may be necessary or desirable to aid in the enforcement and administration of this chapter. Any such rule or regulation that may affect the amount of tax owed the city shall be subject to approval of the city council. The rules and regulations shall be filed in the office of the tax administrator and maintained in an orderly and readily accessible manner. Taxes are considered paid only upon receipt of the return, and penalty, interest, and completed

exemption certificate when appropriate. The burden to secure and comply with the rules and regulations shall be upon the operator.

Section 3. Section 5.24.040 of Chapter 5.24 of Title 5 of the Rocklin Municipal Code is hereby repealed and replaced in its entirety as follows:

5.24.040 - Exemptions

No tax shall be imposed upon any person if the imposition is beyond the power of the city as herein provided. Without limitation, the following are specifically exempt:

Any federal or state employee when on official business.

Any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty.

Any of the exclusions and/or exemptions set forth in California Revenue and Tax Code section 7280 et seq., as may be amended from time to time.

No exemption shall be granted except upon a claim made at the time rent is collected and under penalty of perjury upon a form prescribed by the tax administrator. When a claim of exemption is defective, the operator: (1) shall be responsible for all taxes due with respect to the purported exempt transient; and (ii) the tax administrator shall give notice to the operator of all taxes due as a result of rejection of the exemption claims. The operator shall pay all sums due within ten working days of notification.

Section 4. This Ordinance relates to the levying and collecting of the City of Rocklin Transient Occupancy Tax and, pursuant to California Elections Code Section 9217, shall be in full force and effect ten (10) days after the certification by the City Council of the election returns indicating passage of the Ordinance by the voters casting votes in the election. The collection of transient occupancy tax shall be in accordance with Chapter 5.24 of the Rocklin Municipal Code.

Section 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City council hereby declares that they would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 6. Within 15 days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, a summary of the ordinance, or an advertisement of the ordinance to be published in a newspaper of general circulation, with the names of those City Council members voting for and against the ordinance, in accordance with Government Code section 36933.