

ORDINANCE NO. 1607

AN ORDINANCE INCREASING THE GROSS RECEIPTS TAX AS AUTHORIZED BY ARKANSAS CODE ANNOTATED SECTION 26-75-602; AND AMENDING ORDINANCE NO. 937 OF THE CITY OF HOPE, ARKANSAS

WHEREAS, pursuant to Arkansas Statutes Annotated Section 19-4613 et. seq. the Board of Directors of the City of Hope, Arkansas, by Ordinance No. 937, on May 6, 1975 levied a gross receipts tax, created the City of Hope Advertising and Tourist Promotion Fund, and established the City of Hope Advertising and Tourist Promotion Commission; and,

WHEREAS, Arkansas Statutes Annotated Section 19-4613 et. seq. is now codified as Arkansas Code Annotated Section 26-75-601 et. seq.; and,

WHEREAS, pursuant to ordinance No. 937 a one percent (1%) tax was levied upon the gross receipts or gross proceeds from the renting, leasing or otherwise furnishing of hotel or motel accommodations for profit, and upon the gross receipts or gross proceeds of restaurants, cafes and cafeterias within the corporate limits of the City of Hope, Arkansas; and,

WHEREAS, Arkansas Code Annotated Section 26-75-605 provides that a tax of up to three percent (3%) may be levied on the gross receipts or gross proceeds of certain identified businesses; and,

WHEREAS, the Board of Directors of the City of Hope, Arkansas has determined that it would be in the best interest of the City if the tax levied on gross receipts or gross proceeds of certain identified businesses was increased to two percent (2%); and,

WHEREAS, the Board of Directors of the City of Hope, Arkansas has determined that Ordinance No. 937 of the City of Hope, Arkansas should be amended to conform it to existing Arkansas law.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

Section 1: Gross Receipts Tax.

From and after January 1, 2016, a tax in the sum of two percent (2%) shall be levied upon the gross receipts or gross proceeds from renting, leasing or otherwise furnishing of hotel, motel or short-term condominium rental accommodations for sleeping, meeting, or party room facilities for profit (excluding the rental or lease of such accommodations for periods of thirty (30) days or more) and upon the gross receipts or gross proceeds received by restaurants, cafes, cafeterias, delicatessens, drive-in restaurants, carry-out restaurants, concession stands, convenience stores,, grocery store restaurants, and food trucks from the sale of prepared food and beverages for on-premises or off-premises consumption, but such tax shall not apply to such gross receipts or gross proceeds of organizations qualified under 26 U.S.C. Sec 501 (c) (3). The tax herein levied shall be paid by the persons, firms or corporations liable therefore, and shall be collected by the City Advertising and Tourist Promotion Commission in the same manner and at the same time as the gross receipts tax levied by Act 386 of 1941, as amended; all the provisions of Act 386 of 1941, as amended, and the rules, regulations and forms promulgated and prescribed by the Commissioner of Revenues pursuant to said act shall, so far as practicable, be applicable with respect to the enforcement and collection of the tax levied pursuant to this ordinance.

Section 2: Use of Funds Collected.

The Hope Advertising and Tourist Promotion Commission shall expend the funds collected from the tax in the manner and in compliance with the terms of Arkansas Code Annotated Section 26-75-606, as amended from time to time.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: All parts of Ordinance No. 937 not in conflict with this ordinance shall remain in full force and effect.

Section 5: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 5th day of January, 2015.

Dennis Ramsey, Mayor

City Clerk