

ORDINANCE NO. 20-186

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ERIE COUNTY AUDITOR'S OFFICE FOR THE COLLECTION OF THE CITY'S TRANSIENT OCCUPANCY TAX; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City has established a three percent (3%) transient rental tax on all transient rentals pursuant to Chapter 193 (Transient Occupancy Tax) of the City's Codified Ordinances and currently collects this tax in-house; and

WHEREAS, Erie County has offered to collect the City's transient rental tax in conjunction with the County's lodging tax at no cost to the City, which will allow the City's transient rental owners to file one (1) online tax form and make payment for both the City and County lodging / transient occupancy taxes due; and

WHEREAS, the proposed agreement provides for a fee of two percent (2%) of the amount collected as payment for services rendered and all revenue will be paid to the City on a monthly basis; and

WHEREAS, if approved, Chapter 193 (Transient Occupancy Tax) of the Sandusky Codified Ordinances will need to be amended and these amendments are being requested in companion legislation; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the agreement with the Erie County Auditor's Office so the County's software can be set-up to begin collecting the City's transient occupancy tax, which will be due in February 2021; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Finance, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into an agreement with the Erie County Auditor's Office for the collection of the City's transient occupancy tax, substantially in the same form as attached to this Ordinance, marked Exhibit "A", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the terms of this Ordinance.

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Section 2. If any section, phrase, sentence, 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 thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: December 14, 2020

Agreement for Services Rendered

This is an agreement entered into by **The Erie County Auditor's Office** (hereinafter referred to as "the Provider") and _____ (hereinafter referred to as "the Client") on this date, **January 1, 2021**.

The Client hereby engages the Provider to provide services described herein under "Scope and Manner of Services." The Provider hereby agrees to provide the Client with such services in exchange for consideration described herein under "Payment for Services Rendered."

Scope and Manner of Services

Services to Be Rendered by Provider: The Erie County Auditor's office will collect the hotel/transient occupancy tax of your entities legislation using the Localgov lodging tax software for all rental properties registered in the software. Erie County Auditor's office will monthly (when applicable) submit payment to you for their collected tax amount.

Payment for Services Rendered

For 2021, there will be no Fee. A fee of 2% of the amount collected will be deducted from the amount collected for any rents collected through December 31, 2020. Example: \$100 collected - \$2.00 (2% of \$100) fee retained by Erie County Auditor, payment for \$98.00 will be sent. Fees will be evaluated on an annual basis by the Auditor.

This Agreement will be valid for a period of one year with yearly extensions at the same rate. Should either party require this agreement to be changed, a 90 day notice is required.

Applicable Law

This agreement shall be governed by the laws of the County of Erie in the State of Ohio and any applicable Federal law.

Signatures

In witness of their agreement to the terms above, the parties or their authorized agents hereby affix their signatures:

(Printed Name of Client or agent)

Richard H. Jeffrey, Erie County Auditor
(Printed Name of Provider or agent)

(Signature of Client or agent) (Date)

(Signature of Provider or agent) (Date)