

ORDINANCE NO. 12

Series 1988

AN ORDINANCE CREATING THE FRANKFORT-FRANKLIN COUNTY JOINT TOURIST AND CONVENTION COMMISSION, PROVIDING FOR THE APPOINTMENT AND QUALIFICATION OF ITS MEMBERS, AND IMPOSING A TRANSIENT ROOM TAX FOR THE PURPOSE OF PROVIDING FUNDS FOR THE OPERATION OF THE COMMISSION AND TO FINANCE THE COST OF ACQUISITION, CONSTRUCTION, OPERATION AND MAINTENANCE OF FACILITIES USEFUL IN THE ATTRACTION AND PROMOTION OF TOURIST AND CONVENTION BUSINESS

BE IT ORDAINED BY FRANKLIN COUNTY FISCAL COURT

SECTION -1- There is hereby created the Frankfort-Franklin County Joint Tourist and Convention Commission, which Commission is established for the purpose of promoting convention and tourist activity in Frankfort and Franklin County.

SECTION -2- The Commission shall be composed of seven members, who shall serve without compensation, and who shall be citizens and voters of Franklin County, Kentucky, and who shall be appointed by the Mayor of the City of Frankfort and the Franklin County Judge-Executive, jointly, as follows:

a. Two Commissioners from a list of not less than four names submitted by the local city Hotel and Motel Association;

b. One Commissioner from a list of not less than two names submitted by the local county Hotel and Motel Association;

c. One Commissioner from a list of not less than two names submitted by the local Restaurant Association or Associations;

d. One Commissioner from a list of not less than two names submitted by the Frankfort-Franklin County Chamber of Commerce;

e. One Commissioner by the Mayor of the City of Frankfort;

f. One Commissioner by the Franklin County Judge-Executive.

**SECTION -3-** Vacancies shall be filled in the same manner that original appointments are made.

**SECTION -4-** The Commissioners shall be appointed for terms of three (3) years, provided, that in making the initial appointments, the Mayor and County Judge/Executive shall appoint two (2) Commissioners for a term of three (3) years, two (2) Commissioners for a term of two (2) years, and three (3) Commissioners for a term of one (1) year.

**SECTION -5-** The Commission shall annually elect from its membership a chairman, a secretary, and a treasurer, and may employ such personnel and make such contracts as are necessary to effectively carry out the purposes of Kentucky Revised Statutes, 91A.350, which are adopted as a part hereof by reference. Such contracts may include but shall not be limited to the procurement of promotional services, advertising services and other services and materials relating to the promotion of tourist and convention business; provided, contracts of the type enumerated shall be made only with persons, organizations, and firms with experience and qualifications for providing promotional services and materials such as advertising firms, Chamber of Commerce, publishers and printers.

**SECTION -6-** The Commission shall meet at least monthly in regular session at the Frankfort City Hall or Franklin County Courthouse and may hold such other meetings as are necessary to transact its business. Special meetings may be called by the chairman or by written call of any two Commissioners. A majority of the membership of the Commission shall constitute a quorum for transacting business, but a majority vote, in person, of the entire

membership of the Commission shall be required to take any official action or to approve any contract.

**SECTION -7-** The books of the Commission shall be audited annually by an independent auditor who shall make a report to the Commission, to the organization submitting names from which Commission members are selected, and to the Mayor and the County Judge Executive.

**SECTION -8-** The Commission shall annually, prior to May 1, submit to the Board of Commissioners of the City of Frankfort and Franklin County Fiscal Court, a request for funds for the operation of the Commission for the ensuing year.

**SECTION -9-** For the purpose of operation of the Tourist and Convention Commission and to finance the cost of acquisition, construction, operation and maintenance of facilities useful in the attraction and promotion of tourist and convention business, there is hereby imposed and levied a transient room tax of three per cent (3%).

**SECTION -10-** On and after July 1, 1988, every person, company, corporation or other like or similar persons, groups or organizations doing business as motor courts, motels, hotels, inns or like or similar accommodations businesses in the City of Frankfort or County of Franklin shall pay quarterly into the City or County Treasury for periods ending September 30, December 31, March 31 and June 30 of each year a transient room tax of three percent (3%) of the gross rent for every occupancy of a suite, room or rooms charged and collected by them during such quarterly periods. Such tax shall be due and payable on or before the last day of the month next following the last day of each such quarterly

period, together with a return on a form furnished by or obtained from the City Treasurer or County Treasurer setting forth an aggregate amount of gross rentals charged and collected during the preceding quarter for every occupancy to which the transient room tax applies, together with such other pertinent information as the city treasurer may require.

**SECTION -11-** Any tax imposed by this ordinance which shall remain unpaid after it becomes due, as set forth herein, shall have added to it a penalty of ten percent (10%) together with interest at the rate of one half of one percent (.5%) for each month of delinquency, or fraction thereof, until paid.

**SECTION -12-** The tax imposed by this ordinance shall not apply to rentals paid on occupancies of ninety (90) consecutive days or longer.

**SECTION -13-** Any person who shall knowingly file a false or fraudulent return required by Section 10 of this Ordinance, shall, upon conviction be fined not more than One Hundred Dollars (\$100.) or imprisoned for not more than thirty (30) days, or both such fine and imprisonment.

**SECTION -14-** The tax imposed by this Ordinance shall be in addition to other general taxes and the Occupational or Business License Tax.

**SECTION -15-** The provisions of this Ordinance are severable. If any sentence, clause, or section of this ordinance is for any reason found to be unconstitutional, illegal or invalid, the constitutionality and legality of the remaining portions hereof shall be affected.

INTRODUCED, SECONDED AND GIVEN FIRST READING APPROVAL AT  
A DULY CONVENED MEETING OF THE FISCAL COURT OF THE COUNTY OF  
FRANKLIN held on the 27th day of May, 1988.

*Robert T. Harrod*

ROBERT T. HARROD  
COUNTY JUDGE/EXECUTIVE

GIVEN SECOND READING AND ADOPTION AT A DULY CONVENED  
MEETING OF THE FISCAL COURT OF THE COUNTY OF FRANKLIN held on the  
10th day of June, 1988, and on the same occasion signed by the  
County Judge/Executive as evidence of his approval, and attested by  
the Clerk of the Fiscal Court and of record in Order Book 15, Page  
186.

*Robert T. Harrod*

ROBERT T. HARROD  
COUNTY JUDGE/EXECUTIVE

ATTEST:

*Steve Blakesman*  
Clerk, Fiscal Court

