

ORDINANCE NO. 2019- 07

AN ORDINANCE AMENDING CHAPTER 78, SECTION 78-311 OF THE VILLAGE OF STICKNEY MUNICIPAL CODE REGARDING THE HOTEL/MOTEL ROOM TAX FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS.

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

WHEREAS, the Village currently assesses a hotel/motel room tax of six percent (6%) (the "Hotel/Motel Tax"); and

WHEREAS, due to the rising costs of maintenance of Village property and services, the Corporate Authorities deem it necessary, advisable, and in the best interests of the health, safety and welfare of the community to increase the Hotel/Motel Tax to eight percent (8%); and

WHEREAS, in light of the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 78, Section 78-311 of the Village Code as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 78, Section 78-311 of the Village Code to increase the Hotel/Motel Tax to eight percent (8%), and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.
AMENDMENT OF CHAPTER 78, SECTION 78-311 OF THE MUNICIPAL CODE,
VILLAGE OF STICKNEY, ILLINOIS**

SECTION 3. AMENDMENT OF CHAPTER 78, SECTION 78-311

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 78, Section 78-311 by striking out any language to be removed or repealed and underlining any new language as follows:

- (a) A hotel/motel room tax has been enacted in the amount of six eight percent (8%) of the one night room charge for the use and privilege of a room at any hotel, motel or other similar lodging facility operating within the corporate geographical limits of the Village of Stickney. Provided, however, any patron who uses and occupies an extended stay hotel facility, as defined herein, shall be exempt for payment of the room tax after the 31st consecutive day of use and occupancy. This exemption shall not apply to the initial 30-day use and occupancy wherein the hotel tax of six eight percent (8%) shall remain in full force and effect. An "extended stay facility" shall be defined as a hotel that has rooms specifically designed for extended stays for patrons improved with the customary sleeping and bathroom areas and dedicated kitchen areas with cooking appliances, refrigerator and sink.
- (b) The charge shall be effective on each night that a room is reserved, occupied, or otherwise used in a hotel, motel or other lodging facility within the village. The tax assessed is charged against the room as a privilege for the use of said room. The ultimate incidence of and liability for payment of said tax is to be borne by the person or persons who seek the privilege of occupying the hotel or motel room.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be in full force and effect immediately upon passage, approval and publication, as provided by law.

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PASSED this 18th day of June, 2019.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: none

ABSENT: none

ABSTENTION: none

APPROVED by me this 18th day of June, 2019.

Jeff Walik, President

ATTESTED AND FILED in my
office this 19th day of June, 2019.

Audrey McAdams, Village Clerk