

ORDINANCE NO. 24-_____

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF SOLVANG,
CALIFORNIA AMENDING SECTION 3-2-2 OF THE SOLVANG MUNICIPAL
CODE TO CONTINUE AND MODIFY THE TRANSIENT OCCUPANCY
(HOTEL) TAX RATE FROM 12 PERCENT TO 14 PERCENT
AND MAKING A DETERMINATION OF EXEMPTION UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The people of the chartered City of Solvang do ordain as follows:

SECTION 1.

Chapter 2 of Title 3 of the Solvang Municipal Code, Section 3-2-2 "Tax Imposed" is hereby amended to read as follows:

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of 14% of the rent charged or 14% of the value of the complimentary room calculated on the average monthly room rate. 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 is not paid to the operator of the hotel, the finance department may require that such tax shall be paid directly to the finance department.

SECTION 2.

This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations), and the City's environmental procedures. The City has determined that this Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(2), 15060(c)(3), and 15061(b)(3) because the City Council hereby finds with certainty that there is no possibility the passage of this Ordinance will result in a direct or reasonably foreseeable indirect physical change in the environment nor have a significant effect on the environment.

SECTION 3.

If any section, subsection, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction or preempted by State or Federal legislation, such decision or legislation shall not affect the validity of the remaining provisions of this ordinance.

SECTION 4.

If this ordinance is approved by a majority of the electors voting on the issue at the November 5, 2024 general municipal election, pursuant to Elections Code Section 9217, the ordinance shall become effective ten (10) days after the City Council accepts the certified results of the election.

PASSED, APPROVED, AND ADOPTED on this 5th day of November 2024.

Mark Infanti, Mayor

APPROVED AS TO FORM:

ATTEST:

Chelsea O'Sullivan, City Attorney

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that the foregoing Ordinance No. 24-XXXX was duly adopted by the voters of the City of Solvang on the 5th day of November, 2024, and thereafter signed and approved by the Mayor and attested by the City Clerk.

Annamarie Porter, City Clerk