

ORDINANCE NO. 9379

AN ORDINANCE AMENDING ARTICLE II (HOTEL OPERATORS TAX) OF CHAPTER 45 OF THE MUNICIPAL CODE OF THE CITY OF QUINCY, *AS AMENDED*.

WHEREAS, the City of Quincy ("City") is a home rule unit of local government pursuant to the provisions of Section 6, Article VII (Local Government) of the Constitution of the State of Illinois; and,

WHEREAS, pursuant to such authority, on October 25, 1999, the City adopted Ordinance No. 8849, which imposed a tax on the privilege of renting a hotel or motel room within the city at a rate of eight percent (8%) ("Hotel Tax"); and,

WHEREAS, the City Council desires to amend Section 45.016 of the Code of Ordinances of Quincy, Illinois, to include all short-term housing rentals under 30 days such as those on AIRBNB, VRBO, Flipkey, booking.com, tripadvisor.com, BringFido, bedandbreakfast.com, and other websites; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF QUINCY, ADAMS COUNTY, ILLINOIS, IN RELIANCE ON ITS HOME RULE AND STATUTORY POWERS as follows:

SECTION 1. RECITALS. The foregoing recitals represent the purpose and intent of this Ordinance and as such shall be incorporated as thought fully set forth herein. In the event of any ambiguity or invalidity regarding the enforcement of this ordinance it is the intent of the corporate authorities that this ordinance be liberally construed or reformed to accomplish the purpose and intent so described.

SECTION 2. AMENDMENT. Chapter 45, Section 45.016 of the Municipal Code of Ordinances of Quincy, Illinois, is hereby amended by defining a Hotel or Motel as any structure kept, used or maintained as or advertised or held out to the public *for short-term rental including but not limited to* be an inn, motel, hotel, apartment-hotel, lodging house, dormitory, *homestay, private room, vacation rental*, or place where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals, a Hotel Room or Motel Room to be a room within a structure kept, used or maintained as or advertized or held out to the public to be an inn, motel, hotel, apartment-hotel, lodging house, dormitory, *homestay, private room, vacation rental*, or place where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, with or without meals, and *a Homestay to be a form of lodging where a visitor rents a sleeping room or rooms within a private home while the owner may or may not be present*. One room offered for rental, with or without an adjoining bath, shall be considered as a **SINGLE HOTEL OR MOTEL ROOM**. The number of hotel or motel rooms within a suite *or home* shall be computed on the basis of those rooms utilized for the purpose of sleeping.

Chapter 45, Section 45.019, is amended to read (A) It shall be unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned or controlled by the person a hotel or motel, homestay, private room, vacation rental within the city without having first obtained a license/certificate of registration therefore from the City Treasurer or without complying with all provisions of this subchapter and all other chapters of the Municipal Code of the City of Quincy; and (D) Properties zoned single family residential, must also have an Unrelated Adult Housing License and follow the Unrelated Adult

Housing Ordinance if the property is to be rented to more than two (2) unrelated adults in one rental.

Chapter 45, Section 45.024, is amended as follows: If the Mayor, after hearing held by or for him or her, shall find that any person has willfully avoided payment of the tax imposed by this subchapter, or any fines and/or penalties assessed for the nonpayment or late payment of the tax, he or she may suspend or revoke all city licenses held by the tax evader. The owner manager or operator of the hotel or motel, homestay, private room, or vacation rental shall have an opportunity to be heard at the hearing to be held not less than five days after notice of the time and place of the hearing to be held, addressed to him or her at his or her last known place of business.

Chapter 45, Section 45.025, is amended as follows: The Mayor of the city is hereby authorized to enter into an agreement with the State Department of Revenue, or any other department or agency of the state, or any online booking platform such as, but not limited to, AIRBNB, VRBO, Flipkey, booking.com, tripadvisor.com, BringFido, or bedandbreakfast.com, providing for the exchange of information between the state department or agency, or the booking platform, and the city which will facilitate the collection and auditing of the tax imposed by this subchapter. Any information received by the city pursuant to the agreement shall be kept by the Treasurer and shall be subject to the confidentiality requirements imposed by law.

SECTION 3. RATIFICATION. The City Council hereby ratifies the amended definition of a Hotel or Motel, the definition of a Hotel Room or Motel Room, and the definition of a Homestay.

SECTION 4. Every section and provision of this Ordinance shall be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of any other portion of this Ordinance. All ordinances or parts of ordinances in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

_____ this 6th day of May, 2019, by the Corporate Authorities of the City of Quincy a roll call vote as follows:

AYES: 10
NAYS: 3
ABSTAIN:
ABSENT:
VACANCY: 1

ATTEST: Jenny Hayden
City Clerk

APPROVED: [Signature]
Mayor

Officially published in pamphlet form this 9th day of May, 2019.