

EXHIBIT "A"

ORDINANCE NO. 2022-____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF BIG BEAR LAKE, CALIFORNIA, AMENDING SECTION 3.20.030 OF CHAPTER 3.20 OF TITLE 3 OF THE BIG BEAR LAKE MUNICIPAL CODE INCREASING THE MAXIMUM RATE OF THE CITY'S TRANSIENT OCCUPANCY (HOTEL) TAX FROM 8% TO 9% EFFECTIVE ON JANUARY 1, 2024 AND FROM 9% TO 10% EFFECTIVE ON JANUARY 1, 2025.

(NOTE: Additions are highlighted in *bold italics* and deletions are highlighted in ~~strikeout~~)

THE PEOPLE OF THE CITY OF BIG BEAR LAKE DO ORDAIN AS FOLLOWS:

SECTION 1. Subject to the approval of a majority of the voters of the City of Big Bear Lake at the General Municipal Election so designated by the City Council in a separate resolution placing the proposal on the ballot for such election, Section 3.20.030 of Chapter 3.20 of Title 3 of the Big Bear Lake Municipal Code is hereby amended to read as follows:

"Chapter 3.20 TRANSIENT OCCUPANCY TAX

....

"3.20.030 Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax on the rent charged ~~by an operator~~ *to the transient*, as follows: (a) ~~as of~~ *until* January 1, ~~2009~~*2024*, a tax in the amount of ~~seven~~ *eight* percent; (b) as of January 1, ~~2010~~*2024*, a tax in the *maximum* amount of ~~eight~~ *nine* percent *and (c) as of January 1, 2025, a tax in the maximum amount of ten percent.* Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. *This chapter may be repealed or amended by the City Council without a vote of the People of the City of Big Bear Lake. However, as required by California Constitution Article XIII C (Proposition 218), voter approval is required for any amendment or provision that would increase the maximum rate or methodology of any tax levied pursuant to this chapter.*

SECTION 2 The transient occupancy tax set forth herein shall be collected and administered in the manner set forth in Chapter 3.20 of the City of Big Bear Lake Municipal Code.

SECTION 3. Pursuant to Article XIII B of the California Constitution, the appropriation limit for the City of Big Bear Lake will be increased by the maximum projected aggregate collection authorized by the levy of this general tax, as indicated in Section 1, in each of the years covered by this Ordinance plus the amount, if any, by which the appropriation limit is decreased by law as a result of the levy of the general tax set forth in this Ordinance.

SECTION 4. If any portion of this Ordinance is declared invalid by a court of law or other legal body with applicable authority, the invalidity shall not affect or prohibit the force and

effect of any other provision or application of the Ordinance that is not deemed invalid. The voters of the City hereby declare that they would have circulated for qualification and/or voted for the adoption of this Section, and each portion thereof, regardless of the fact that any portion of the initiative may be subsequently deemed invalid.

SECTION 5. Pursuant to California Constitution Article XIIC §(2)(b) and California Elections Code §9217, this Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Big Bear Lake voting at the General Municipal Election to be held on November 8, 2022, and shall become effective as of January 1, 2023.

SECTION 6. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 8, 2022, by signing where indicated below.

I hereby certify that the foregoing Ordinance was **PASSED, APPROVED AND ADOPTED** by the People of the City of Big Bear Lake on the 8th day of November, 2022.

Dated: _____

RICK HERRICK
MAYOR

ATTEST:

APPROVED AS TO FORM:

ERICA STEPHENSON
CITY CLERK

STEPHEN P. DEITSCH
CITY ATTORNEY