

FILED

JUL 25 2022

BY LA DEPUTY
REGISTRAR OF VOTERS

NOT OPERATIVE UNTIL ENACTED BY THE VOTERS

ORDINANCE NO. ____

**AN ORDINANCE OF THE TOWN OF YUCCA VALLEY,
CALIFORNIA, AMENDING SECTION 3.24.030 OF THE
MUNICIPAL CODE REGARDING THE TRANSIENT
OCCUPANCY TAX AS ENACTED BY THE TOWN OF YUCCA
VALLEY VOTERS**

WHEREAS, Town of Yucca Valley currently imposes a Transient Occupancy Tax ("TOT") on all visitors for the privilege of occupancy in any hotel, as defined in Section 3.24.020 of the Town of Yucca Valley Municipal Code; and

WHEREAS, the TOT Ordinance imposes a general tax in the amount of seven percent (7%) of the rent charged by the operator of the hotel; and

WHEREAS, the Town and the people of the Town of Yucca Valley desire to adjust the TOT from seven percent (7%) to twelve percent (12%); and

WHEREAS, the TOT does not raise residents' taxes, it applies only to those who stay in local hotels, motels and short-term vacation rentals, ensuring visitors pay their fair share of services they use while in town; and

WHEREAS, an increase in Short Term Vacation Rentals has placed an additional burden on the services provided by the Town of Yucca Valley; and

WHEREAS, the Town is required to maintain 145+ miles of roads, Yucca Valley needs to keep up with repairs, maintenance to streets, sidewalks, storm drains, and other facilities before they become more expensive in the future; and

WHEREAS, additional funding to maintain the quality of services, such as police, 9-1-1 response times, maintenance of streets, parks, infrastructure, and programs for youth and seniors is needed; and

WHEREAS, by keeping Yucca Valley safe, clean, and well-maintained, the Town seeks to protect property values and preserve the small-town character that makes Yucca Valley a special place to live; and

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SECTION 1. RECITALS.

The recitals set forth above are true and correct and are adopted as findings.

SECTION 2. AMENDMENT OF SECTION 3.24.030.

Section 3.24.030 (Tax Imposed) of Chapter 3.24 (Transient Occupancy Tax) of the Town of Yucca Valley Municipal Code is hereby amended and restated in its entirety as follows:

“For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of twelve percent (12%) of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, said tax constitutes a debt owed by the transient to the operator or to the town. 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 the tax is not paid to the hotel operator, the tax administrator may require payment directly to him.”

SECTION 3. SEVERABILITY

Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

SECTION 4. CEQA

The adoption of this ordinance is not a “project” subject to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). CEQA Guideline 15378(b)(4) provides that the creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to a specific project that may result in a potentially significant physical impact on the environment are not projects subject to the requirements of CEQA.

SECTION 5. EFFECTIVE DATE

This ordinance shall be submitted to the voters at the regular municipal election to be held on November 8, 2022. This ordinance shall not become operative unless and until a majority of the electors voting on the measure vote to approve this ordinance, in which case this ordinance shall go into effect ten (10) days after the date on which the election results are declared by the Town Council.

PASSED, APPROVED, AND ADOPTED BY THE PEOPLE OF THE TOWN OF YUCCA VALLEY AT THE
REGULAR MUNICIPAL ELECTION HELD ON THE 8TH DAY OF NOVEMBER 2022.

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STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 22-40 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 19th day of July 2022, by the following vote:

Ayes: Council Members Abel, Denison, Lombardo, and Mayor Schooler
Noes: None
Abstain: None
Recused: Council Member Drozd



Lesley R. Copeland, CMC
TOWN CLERK