

RESOLUTION No. ____

A RESOLUTION OF THE COMMISSIONERS OF THE TOWN OF DEWEY BEACH TO SUBMIT A PROPOSED CHARTER AMENDMENT BILL TO THE GENERAL ASSEMBLY TO BROADEN THE APPLICATION OF THE MUNICIPAL ACCOMMODATIONS TAX BY STRIKING THE EXEMPTION FOR PROPERTY BEING ASSESSED A PUBLIC ACCOMMODATION LODGING EXCISE TAX UNDER CHAPTER 61 OF TITLE 30 OF THE DELAWARE CODE.

WHEREAS, the Commissioners of the Town of Dewey Beach have a continuing need to identify fair and predicable sources of revenue to fund ongoing services promoting health, safety and welfare within the Town of Dewey Beach; and

WHEREAS, the Commissioners of the Town of Dewey Beach have determined that expanding the application of the existing municipal accommodations tax so as to apply to property being assessed a public accommodation lodging excise tax under Section 6101 of Title 30 of the Delaware Code is justifiable given the impact their welcomed patrons represent on the Town's infrastructure, and the Town's efforts to promote health, safety and welfare in the community; and

WHEREAS, various other municipalities have undertaken efforts to broaden the application of their existing accommodations tax by striking the above-referenced exclusion for properties assessed the State's accommodations tax by seeking to so amend their respective Charters; and

WHEREAS, upon due consideration, the Commissioners of the Town of Dewey Beach have determined it advisable to expand the application of the accommodation tax in accordance with the proposed provisions below set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOWN OF DEWEY BEACH that a proposed amendment to its Town Charter provisions broadening the application of the existing accommodations tax to include to properties assessed the state's public accommodation lodging excise tax be submitted by the Mayor to the General Assembly as follows:

“DELAWARE STATE HOUSE/SENATE
150TH GENERAL ASSEMBLY
BILL NO. ____

AN ACT TO AMEND THE CHARTER OF THE TOWN OF DEWEY BEACH RELATING TO A LODGING TAX.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Section 23(a)16 of the Charter of the Town of Dewey Beach in accordance with the strikeouts depicted below:

- ‘16. To levy and collect tax upon the renting or leasing of residential property located within the municipal boundaries of Dewey Beach, except that no accommodations tax for a residential rental shall be collected upon a valid rental agreement or valid lease agreement with an initial term of at least one (1) year. The accommodations tax on a residential rental shall be as set from time to time by the Commissioners of Dewey Beach, but not to exceed three percent (3%) of the rent or lease amount unless approved by referendum. ~~This residential rental accommodations tax does not apply to the rental or lease of any property being assessed a public accommodation lodging excise tax under Chapter 61 of Title 30.~~

SYNOPSIS

This charter amendment bill permits the Town of Dewey Beach to apply, impose and collect its existing accommodations tax to property being assessed a public accommodation lodging excise tax under Chapter 61 of Title 30 of the Delaware Code by eliminating the current exemption from the Town’s Charter.’

So Adopted this ____ day of _____ by the Commissioners of the Town of Dewey Beach, at least a majority of whom voted in the affirmative.

Mayor TJ Redefier

Scott Koenig, Town Manager