

Resolution NO. 2865

A RESOLUTION OF THE BEND CITY COUNCIL TO REQUIRE CITY STAFF TO OBTAIN COUNCIL APPROVAL AT AN OPEN PUBLIC MEETING BEFORE INITIATING LITIGATION WITH A THIRD PARTY TRAVEL WHOLESALER, TRAVEL AGENT, TOUR OPERATOR, OR SIMILAR THIRD PARTY BOOKING AGENT OVER DISPUTES RELATED TO THE COLLECTIONS OF TRANSIENT ROOM TAX COLLECTIONS

Findings

- A. Per Bend City Code 12.05.015, occupants renting short term lodging in the city of Bend are required to pay a transient room tax of 9% to the lodging operator. The lodging operator is required to submit the transient room tax collections to the city of Bend, less a 5% administrative fee described in 12.05.035.
- B. If the occupant's rent payment for the temporary lodging is made through a third party, such as a travel wholesaler, travel agent, tour operator or similar third party booking agent, Bend city code requires the third party agent to collect the tax based on the total rent paid by the occupant and to forward the full amount of tax collected to the operator for submission to the city of Bend.
- C. In the situation of third party bookings, the lodging operator is required to submit a 9% transient room tax based only on the amount of rent they receive from the third party, plus any additional tax collections submitted to them from the third party.
- D. In response to concerns expressed by Bend's tourism industry that litigation between the City of Bend and third party booking agents could compromise the competitiveness of the Bend tourism industry and the stakeholders therein, this resolution requires city staff to obtain council approval at an open public meeting before initiating litigation with a third party travel wholesaler, travel agent tour operator, or similar third party booking agent over disputes related to the collection of transient room tax collections.

Based on these findings,


THE CITY OF BEND RESOLVES AS FOLLOWS:

City staff is required to obtain council approval at an open public meeting before initiating litigation with a third party travel wholesaler, travel agent, tour operator, or similar third party booking agent over disputes related to the collection of transient room tax collections.

Adopted by roll call vote on February 15, 2012.


YES: Mayor Jeff Eager
Mayor Pro Tem Jodie Barram
Scott Ramsay
Mark Capell
Jim Clinton
Tom Greene

NO: none



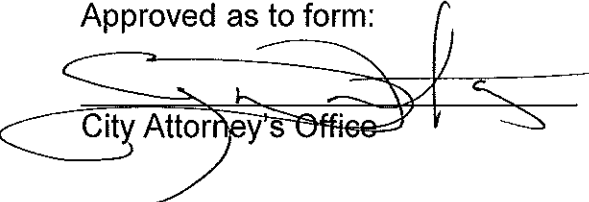
Jeff Eager, Mayor

ATTEST:



Robyn Christie, City of Bend Recorder

Approved as to form:



City Attorney's Office