

CITY OF FAIRFIELD

ORDINANCE NO. 2024-05

**AN ORDINANCE ADOPTED BY THE VOTERS OF THE CITY OF FAIRFIELD AMENDING SECTION 18.13(a) OF THE FAIRFIELD MUNICIPAL CODE TO INCREASE THE RATE OF THE EXISTING CITY OF FAIRFIELD TRANSIENT OCCUPANCY TAX FROM 10% to 12%**

THE VOTERS OF THE CITY OF FAIRFIELD DO HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Section 18.13(a) of Chapter 18, Article III of the Fairfield Municipal Code is hereby amended to read as follows (additional text underlined, deleted text ~~struck through~~):

**“18.13. Imposition; amount; when and where payable.**

“(a) For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ~~ten~~ twelve percent of the rent charged by the operator. Such tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator of the hotel at the same time the rent is paid. 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, for any reason, the tax due is not paid to the operator of the hotel, the Tax Administrator may require that such tax shall be paid directly to the Tax Administrator. The rate of ~~ten~~ twelve percent shall take effect as of January 1, 2025.”

**Section 2. Intended Amendment.** It is the intent of the voters to amend Section 18.13(a) only as specified in this ordinance to increase the rate of the existing Fairfield transient occupancy tax in Article III of Chapter 18 of the Fairfield Municipal Code. Pursuant to Elections Code Section 9217, the City Council may amend the provisions of this Ordinance, except that no such amendment that has the effect of increasing the rate of this tax above the rate approved in this ordinance shall be effective without voter approval. Except as specifically amended in this ordinance, the remaining provisions of Chapter 18, Article III shall remain in full force and effect.

**Section 3. SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, the remainder of Chapter 18, Article III, and the application of such provision to other persons or circumstances shall not be affected thereby.

**Section 4. EFFECTIVE DATE AND TERMINATION.** This ordinance shall take effect ten days following approval by the voters and shall remain in effect until repealed or amended by the voters of the City of Fairfield.

**APPROVED** at a regular meeting of the City Council of the City of Fairfield on this 16th day of July 2024; and

**PASSED AND ADOPTED by the voters of the City of Fairfield, State of California, at the General Municipal Election held on November 5, 2024.**

---

Catherine Moy, Mayor

**Attest:**

---

Karen Rees, City Clerk

**Approved as to Form:**

---

David Lim, City Attorney