

Saint Regis Mohawk Tribe

Room Occupancy Fee Resolution

TCR 2013 - ____

FORWARD

The requirements for occupancy permits, the distribution of permits, reporting requirements, remittance of applied fees and other obligations is set forth below. The facilities that offer accommodations within the jurisdiction of the St. Regis Mohawk Tribe (SRMT) must comply with all SRMT adopted Fire Safety and building codes regulations and apply a *room occupancy fee* for each occupied room per day.

The rules and regulations set forth below applies to the occupancy of any room at any Hotel or Motels located within the jurisdiction of the SRMT.

Purpose

The imposition of an Occupancy Fee has been determined to be in the best interest of the Tribe to help provide revenue for services that ensure the health, safety and welfare of the Tribal Members.

Definitions

"Hotel" – Means a commercial establishment offering lodging to travelers and sometimes to permanent residents, and often having restaurants, meeting rooms, stores, etc., that are available to the general public.

"Motel" – Means a hotel providing travelers with lodging and free parking facilities, typically a roadside hotel having rooms adjacent to an outside parking area or an urban hotel offering parking within the building.

"Occupancy" means the use or possession, or the right to the use or possession, of any room or rooms in a hotel or motel for any purpose.

"Room" means any room in a hotel or motel for the use of which the hotel or motel receives a sum of currency for the use and occupancy of the room.

"Fee" means the Occupancy Fee rate.

"Person" means any organization, whether it be a sole proprietorship, partnership, joint venture, trust, estate, unincorporated association, corporation, or government or any part, division, or agency of any of the foregoing, and an individual or group of individuals.

Occupancy Permit Requirements

There shall be a requirement to obtain a Saint Regis Mohawk Tribe permit to offer any Hotel, Motel occupancy that offers rooms for rent for any duration.

Permit Application Requirements

Shall include the Following:

- Applicants Full Name
- Tribal Enrollment Number
- Business name (d/b/a)
- Business Address
- Business Phone and Fax numbers
- Business e-mail
- Investors full name
- Total number of rooms available for occupancy

Permit Process and Distribution

The applicant must complete the application with the Compliance department.

- Upon completion of an application the business shall be inspected for compliance of applicable codes.
- Upon completion of the inspection a report shall be issued to the applicant and any violations shall have an order of satisfactory completion date.
- Annual code inspections shall be conducted thereafter at each Hotel/Motel.

Permit Fee

The applicant of a Hotel and/or Motel shall remit an Initial application fee of Fifty dollars (\$50.00) upon approval of an application.

Permit Denial

Should it be determined that an applicant's location not be within Compliance with applicable codes, the Applicant shall be notified and a permit shall not be issued for the occupancy until non compliance is rectified.

Occupancy Rate

The SRMT Occupancy Fee rate shall be assessed at Ten (\$10.00) dollars per room each day of occupancy.

Bed / Room Occupancy fee EXEMPTIONS

1. No Occupancy Fee shall be is imposed on the SRMT government when utilized for official Government business use. This Fee shall not be imposed upon any SRMT Tribal Member, Employee, Program of the organization or participants occupying a room for official use pursuant to completing the authorization form prior to the date of the use and occupancy.
2. No Fee shall be imposed upon any person who receives a complimentary room and does not pay for the use of the room personally. It shall be the responsibility of the entity or payee offering the complimentary occupancy to remit the fees to the hotel/motel or complete the authorization form prior to the date of occupancy.

Reporting Requirements

Shall be outlined below and required to be remitted and adhered to at all time.

- A Daily log sheet (Appendix A) or a pre approved version with comparable information shall be completed for each day of operation. (*This record must be available for inspection by the Compliance department.*)
- A Monthly report will begin on the 1st day of a month and end on the last day of each month. (Appendix B) or an approved version with comparable information must be completed
- The Monthly Report must be remitted to the SRMT Compliance department along with the assessed occupancy fees of the preceding month by the 15th of each month.

Use of Occupancy Fees

The Occupancy fees will be dedicated to assist in the Education of membership.

Violations

Violations may include; *however are not limited to:*

- Failure to remit collected occupancy fees on or prior to 15th of each month.
- Remitting false reports.

Amendments

This document may be amended from time to time should it be determined by Tribal Council. The amendment process shall be as follows:

- Each Hotel/Motel Occupancy Permit tee shall be provided notice that there will be three (3) public meetings scheduled to discuss any proposed amendments. All comments received shall be given consideration.
- Final drafted amendments shall then be presented to Tribal Council who may by Tribal Council Resolution approve the amendments during a regularly scheduled work session.

Draft Only