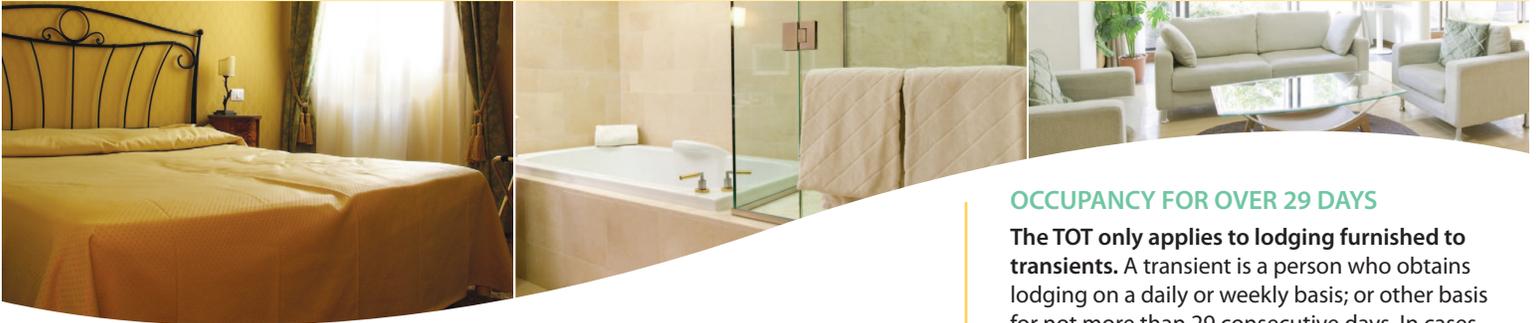


HOTELS & MOTELS

Licensing and Tax Information: (623) 333-2001 | salestax@avondale.org



YOU OWE TAX ON HOTELS & MOTELS IF: | You are operating a hotel or motel in the city.

Transactions between related companies or persons are taxable by the City of Avondale. See Avondale Tax Code Section 13A-100 for the definition of a "Person", Section 13A-210 "Determination of gross income: transactions between affiliated companies or persons", and Section 13A-220 "Determination of gross income: artificially contrived transactions."

Examples of hotel/motel income which is taxable includes, but is not limited to:

- ▶ Guest room charges
- ▶ Meeting/banquet room charges
- ▶ Food/beverage charges
- ▶ Movie charges
- ▶ Local telephone call charges
- ▶ Commissions received on vending machine income

TAX RATE ON HOTELS AND MOTELS | The City of Avondale tax rate is 2.5% of the taxable income.

In addition to the TPT, hotels/motels are also subject to the Transient Occupancy Tax (TOT), which is discussed below.

COLLECTION OF TRANSACTION PRIVILEGE TAX | You may choose to charge the TPT separately on each sale or include TPT in your price.

If you over charge any tax to your customers, you must remit the excess tax to the city. If your price includes TPT, you can compute how much of the total price is TPT. You may deduct the total city, state, and county transaction privilege taxes from your gross receipts. You are also required to have a TOT License for this type of business.

TRANSIENT OCCUPANCY TAX | This tax is imposed on the occupancy of space or use of furnishings or other services or accommodations in a hotel, motel, or any other structure intended for occupancy by transients for dwelling, lodging, or sleeping purposes for a period of 29 consecutive calendar days or less. (30 days or less prior to 1/1/07).

TRANSIENT OCCUPANCY TAX RATE | The TOT rate is 2.0% of the total amount charged for occupancy of space including the use of furnishings.

This tax is assessed above and beyond the 2.5% transaction privilege tax.

OCCUPANCY FOR OVER 29 DAYS

The TOT only applies to lodging furnished to transients. A transient is a person who obtains lodging on a daily or weekly basis; or other basis for not more than 29 consecutive days. In cases where the transient stays for more than 29 days, and a binding lease or prepayment is in place at the inception of the stay, then the entire length of the stay would not be subject to the TOT. In cases where the transient stays for more than 29 days, however, does so on a daily, weekly, or other basis that is in increments of less than 30 days, then the entire length of stay would be subject to the TOT. TPR 94-5; 5/25/94 Definition of "transient". See the Arizona Department of Revenue website:

<http://www.revenue.state.az.us/ResearchStats/rulings/TPR94-5.htm>

The TPT (2.5%) is due regardless of the length of stay.

TAX MATRIX | TPR-06-1 09/14/06 Taxation of Charges for Goods, Services or Activities Customarily Provided in the Course of the Business of Operating a Transient Lodging Facility (Effective January 1, 2007).

See Arizona Department of Revenue website. <http://www.revenue.state.az.us/ResearchStats/rulings/TPR06-1.htm>

This publication is for general information only about Transaction Privilege (Sales) Tax on income from contracting activities. This is an informal and nonbinding communication.

For complete details, refer to the City of Avondale Privilege & Excise Tax Code and related regulations. In case of inconsistency or omission in this publication, the language of the Tax Code will prevail. The transaction privilege tax is commonly referred to as a sales tax, however, the tax is on the privilege of doing business in Avondale and is not a true sales tax.

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