



HOTEL OCCUPANCY TAX GUIDELINES & APPLICATION

100 S. Monroe, Eagle Pass, Texas 78852 • Phone: (830)773-1111

Revised Date: October 28, 2020

I. **PURPOSE**

The purpose of the policy is to provide guidelines relating to the use of the Hotel Occupancy Taxes collected in accordance with Chapter 351 of the Texas Tax Code. The policy shall be adopted by the City of Eagle Pass and will be amended as needed.

II. **LIMITED AVAILABILITY AND USE**

It shall be the policy of the City of Eagle Pass to use the HOT funds in accordance with the Texas Tax Code Sections 351.101(a)-2. Additionally, the use of funds shall be limited to the following items:

A. **CONVENTION AND VISITOR'S CENTER:**

- The acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information.
- The furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants.
- Advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity.
- Marketing costs associated with the attraction of tourism into the area of event or convention.

B. **PROMOTION OF THE ARTS** (*Pursuant to Section 351.103(c) of the Texas Tax Code, not more than 15% of the total Room Tax budget, for a fiscal year, will be applied to promotion of the arts*):

- The encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation performance, execution, and exhibition of these major art forms.

C. **HISTORICAL RESTORATION AND MUSEUMS:**

- 1) Revenues may be used for historical restoration and preservation projects or activities advertising and conducting solicitations and promotional programs to encourage tourists to visit preserved historic sites of museums located within the municipality.

D. *SPORTING EVENT EXPENSES AND PROMOTION*

- Revenues may be used for promotion of sporting events in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality.
- Revenues may be used for promotional expenses directly related to a sporting event in which the majority of participants are tourists

E. *SIGNAGE*

- Hotel Tax revenues may be used to construct signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality.

F. *FUND BALANCE REQUIREMENT*

- The City of Eagle Pass shall strive to maintain a fund balance of twenty-five percent (25%) of estimated annual Hotel Occupancy Tax revenues. Fund balances may be used for eligible expenses at the City Council's discretion.

III. *ELIGIBILITY*

Applicants are subject to eligibility requirements listed below. Applicants must meet all criteria to receive funding.

- A. Any organization, non-profit, or entity may apply for funding.
- B. All funding requests should be for up to fifty percent (50%) or less of Applicant's total projected expenses. Applicants must match at one-to-one of the total funds requested from the City.
- C. The Applicant must be located in the City's corporate limits
- D. The Applicant must demonstrate that funding will be used to promote the tourism
- E. The Applicant must be an organization or corporation governed by a board of directors or a business applying for a public project.
- F. The applicant must demonstrate that the program or project will be open to the general public or enhance tourism to the City of Eagle Pass.
- G. The event/project must be revenue generating

IV. *REPORTING*

- As part of the executed agreement with the City of Eagle Pass, the grantee must submit a Post-Event Evaluation within 30 days of completion of the funding period or event. The Post-Event Evaluation should capture audience reaction and feedback, as well as all items outlined in the original application. Post-Event Evaluation should also include samples of any advertisements produced with the use of Room Tax funding.

- Requests for reimbursement must include proof of payment via original receipts or copies of receipts reflecting actual monies expended. If applicant did not spend the total amount of funding awarded or funds were unlawfully expended, then that amount must be returned or refunded back to the City. From time to time, City Council may request a verbal presentation during Council meeting to receive feedback on the event.
- Program or event should provide a plan for tourism tracking. It is the applicant's responsibility to track and monitor the number of out-of-town guests who attend the event, and the impact to the hotels by the event or program.
- If tickets are sold, additional data should also be included as part of the Post Event Report.
- The City reserves the right to determine if partial or all funding should be reimbursed to the City if the organization or event did not meet contractual obligations.
- The City reserves the absolute and ongoing right to conduct an audit of any entity that receives Room Tax funding to ensure the correct use of City resources.

V. **PAYMENTS**

Payments of funds is based on reimbursement of receipts, up to the amount granted by the Eagle Pass Occupancy Tax Committee. Vendor checks are issued every other Friday, please check in with City staff for a more accurate date on payments. Payment receipt must be submitted no later than 60 days after the event.

VI. **REPAYMENT**

Parties who fail to comply by parameters set in the agreement between the City and the applicant may be subject to repayment of Room Tax Funding. Additionally, the applicant also risks being denied future funding if requirements are not met properly.

**CITY OF EAGLE PASS
HOTEL OCCUPANCY TAX APPLICATION**

SECTION 1. APPLICANT(S) INFORMATION

Name of Person/Organization: _____

Select one: Non-Profit For-Profit Tax ID/EIN: _____

Address: _____

Phone number: _____ Website: _____

Date when organization was established: _____

SECTION 2. PROJECT/EVENT INFORMATION

Project/Event Name: _____

Date(s) of event: _____ Is the event within City limits: Yes No

Address where project or event will occur: _____

Total project cost: \$ _____ Amount requested: _____

As per policy, is the amount requested 50% or less of the total project cost: Yes No

Primary purpose of funded activity: _____

Project/Event location: _____

SECTION 3. ELIGIBLE CATEGORIES

Select the eligible categories for which you are applying for funding and the corresponding amounts:

Convention and/or Visitor Center Amount: _____

Promotion of the arts Amount: _____

Historical restoration & museums Amount: _____

Sporting event Amount: _____

Signage Amount: _____

SECTION 4. SUPPLEMENTAL DOCUMENTS

Along with the application, please submit all the following documents as applicable to project/event:

_____ Full budget breakdown, including expected revenue

_____ Proposed marketing plan for the funded event

- Marketing must start at minimum, one month prior to the event
- Marketing material must be printed, presented and/or advertised at minimum 50 miles outside of City limits

_____ Schedule of activities, or events relating to the funded project

_____ A detailed budget – breakdown of costs (description and amount) of all the funds needed

I _____ approve that the information provided herein is true and correct to the best of my knowledge and understand that false statements on this application, if found guilty, can be considered a Class A misdemeanor, or classified as a State Jail Felony, under the Texas Penal Code 37.10

Signature: _____

Date: _____

Name: _____