

Procedures for Completing and Filing Application for City of Tulsa Hotel License

Pursuant to Title 21, § 1601(A) of the Tulsa Revised Ordinances, it shall be unlawful for any person to establish, operate, maintain, or permit to be established, operated or maintained upon any property owned or controlled by him, a hotel within the limits of the City of Tulsa without having first secured a license for each such hotel from the Director of Finance. Such license shall expire on December 31 of each year and shall not be transferable from one person to another. Title 21, § 1600 defines a hotel as:

“any building or buildings, trailer or other facility in which the public may, for consideration, obtain sleeping accommodations in which five (5) or more rooms are used for the accommodation of such guests, whether such rooms are in one or several structures. The term shall include hotels, motels, tourist homes, inns, trailer motels, dormitory space where bed space is rented to individuals or groups, apartments not occupied by “permanent residents”, and all other facilities where rooms or sleeping facilities or space are furnished for a consideration. Hotel shall not include hospitals, sanitariums, or nursing homes.”

Pursuant to Title 21, § 1601(B), the application for such license or the renewal thereof shall be filed with the Director of Finance. It shall be accompanied by a processing fee of Five Dollars (\$5.00) and an annual license fee of Seventy-Five Dollars (\$75.00) for each existing or proposed hotel. The processing fee of Five Dollars (\$5.00) shall accompany initial applications as well as for a hotel name change. Because the license period runs from January 1 through December 31, the license fee for initial issuance will be pro-rated based upon the date of issuance (see pro-rated fee schedule, Page 3).

The application for a license or a renewal thereof shall be made on the application form furnished by the Director of Finance. If ownership in fee is vested in some person other than the applicant, the Director shall require a duly verified statement from the owner that the applicant is authorized by him to construct or maintain the hotel and to make the application. Please see the application form entitled **City of Tulsa Application for License to Operate a Hotel and for Authority to Collect Lodging Tax** below as well as important notes about completing the license application. The application is available in Excel form upon request and as well as online at www.Cityoftulsa.org.

The completed application (including license fee and sales tax permit copy) should be sent to the City of Tulsa Finance Department, P.O. Box 451, Tulsa 74101-0451. After the application has been reviewed and approved, the Audit & Collections section will process your application and issue a City of Tulsa hotel license in connection with the Business License center. In accordance with Title 21, § 110, the License shall be placed or posted in a secure manner in some public place on the premises occupied and used for such purpose where the license may be readily seen at anytime by any person entering such premises.

Pursuant to Title 21, § 1602, a hotel license may be suspended or revoked if after due investigation to the Director of Finance determines that the applicant or holder has failed, for over thirty (30) days, to pay any sales tax due the State of Oklahoma, any rooming or lodging tax or any City sales tax. It shall also be grounds for suspension or revocation if the licensee has failed to pay any penalties or interest for delinquent rooming and lodging taxes, or has failed to post a surety bond pursuant to the Revised Ordinances of the City of Tulsa.

Pursuant to Title 21, § 1604, whenever any license shall have been lost or destroyed, it shall be the duty of the Director of Finance, upon application in writing by the owner thereof, to issue a duplicate of the license, provided that the license has not been lost or destroyed by any act of connivance on the part of the licensee and that the licensee has made diligent search for the license and has been unable to find it. A service charge of Five Dollars (\$5.00) shall be collected for each duplicate license.

Any person, firm, corporation, association, operator, partner, manager, employee or member thereof who shall violate any provisions of Title 21, Chapter 16 of the Tulsa Revised Ordinances (hotel licensing), shall be guilty of an offense and, upon conviction thereof, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs, and/or by imprisonment in the City Jail for a period not to exceed ninety (90) days.

Title 21, Chapter 16 of the Tulsa Revised Ordinances (Hotel Licensing), is provided on Pages 16-18. If you have any questions, please call the Audit and Collections section, (918) 596-7644.

Important notes about the license application:

- A copy of the current sales tax permit for the hotel must be submitted with the application. The sales tax permit must be in current (not delinquent) status in order for the license to be granted.
- The entity applying for the license to operate the hotel must be the same entity name as is listed on the sales tax permit.
- The legal description of the property required on item 5 of Page 1 of the application must be included; this may look something like Lot 1, Block 4, Glendale Addition to the City of Tulsa, etc. The actual description may be quite lengthy and can be simply attached to the application.
- The person who signs the license application must also read, understand and initial the "Affidavit of Applicant" segment on Page 2 of the license application.
- If the entity applying for the license to operate the hotel is a corporation, only the President or a Vice President's signature will be accepted on the application.
- If the entity applying for the license to operate the hotel is an LLC, only a signature of a managing member of the LLC will be accepted on the application.
- Late fees of \$5.00 per month accrue beginning on January 15th.

Hotel License
Pro-rated Fee Schedule for Initial Issuance

	<u>License fee</u>	<u>Processing fee</u>
January	\$75.00	\$5.00
February	\$75.00	\$5.00
March	\$75.00	\$5.00
April	\$56.25	\$5.00
May	\$56.25	\$5.00
June	\$56.25	\$5.00
July	\$37.50	\$5.00
August	\$37.50	\$5.00
September	\$37.50	\$5.00
October	\$18.75	\$5.00
November	\$18.75	\$5.00
December	\$18.75	\$5.00



City of Tulsa

Application for license to operate a hotel and
for authority to collect lodging tax

TO THE DIRECTOR OF FINANCE, TULSA, OK:

A) The following information is submitted to the Director of Finance for the purpose of registering the below named hotel with the City of Tulsa, and to obtain a license to operate the hotel under the provisions of Title 21, Chapter 16, T.R.O. and amendments thereto which empowers the registrant to collect a five (5) percent lodging tax as set forth in Title 44, Section 112, T.R.O. and amendments.

B) The applicant, as hereinafter set out, and in connection with such application makes the following statements and representations:

GENERAL INFORMATION – PLEASE COMPLETE EACH LINE:

- 1) Name of Hotel: _____
- 2) Hotel Address: _____
Hotel City, State, Zip: _____
- 3) Hotel Telephone Number: () _____
- 4) Hotel Manager's Name: _____
- 5) Legal Description of hotel real estate (Lot, block, or meets & bounds): _____

APPLICANT INFORMATION (PROPOSED LICENSEE):

- 6) Entity applying for license to OPERATE the Hotel: _____
- 7) Please circle one: Applicant above is a (an) Individual Partnership Corporation LLC
- 8) Applicant's Address (if different than hotel address): _____
Applicant's City, State, Zip: _____
Applicant's Telephone: () _____
- 9) What date did you assume possession/control of the hotel and/or acknowledged responsibility for operations? _____

HOTEL OWNER'S INFORMATION:

- 10) Individual or entity who OWNS hotel (if different than #6 above): _____
- 11) Owner's Address (if different than #8 above): _____

OTHER INFORMATION:

- 12) Number of Lodging Rooms: _____
- 13) Sales Tax Permit# (Copy must be attached): _____
(Note: Sales Tax Permittee must be the same as #6 above)

PERSON (OTHER THAN APPLICANT) TO CONTACT FOR FILED TAX RETURN PROBLEMS:

- 14) Contact Name: _____
Contact Address: _____
Contact City, State, Zip: _____
Contact Telephone: () _____
Contact Email: _____

CONTACT PERSON FOR ANNUAL LICENSE RENEWAL CORRESPONDENCE:

- 15) Contact Name: _____
Contact Address: _____
Contact City, State, Zip: _____
Contact Telephone: () _____
Contact Email: _____

Affidavit of Applicant

I, the undersigned have carefully read the foregoing Application for license to operate a hotel and swear that every statement made therein is true and correct and I am the duly authorized and appropriate individual to sign and swear to the accuracy of this application. Also I acknowledge my responsibility to ensure that all lodging tax returns and taxes, and local and state sales tax returns and taxes are filed and remitted timely. Further, I assume any liability for the non-payment or non-filing of these taxes and/or hotel license fee. I acknowledge that if the taxes are non promptly filed and paid, such will be subject to interest and penalty; and that non-filing and/or non-payment could eventually result in a surety bond being imposed, and/or a lien being filed against my property. Further, I acknowledge that non-filing and/or non-payment of these taxes or the license fee could result in fines or incarceration being imposed against me, and/or revocation of license to operate a hotel.

NOTE: If person signing represents the owner of the hotel by power of attorney, please submit appropriate documentation to support this power.

(Initials of Applicant _____)

INDIVIDUAL

If you are applying as an **Individual** to operate the hotel, please complete this section and have notarized.

State of _____
County of _____ } _____

INDIVIDUAL SIGNATURE

Before me, the undersigned, a Notary Public, in and for said County, on this _____ day of _____ 20____
personally appeared (Individual's Name) _____

to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written. (notary seal)

My commission
expires: _____

NOTARY PUBLIC

PARTNERSHIP

If you are applying as a **Partnership** to operate the hotel, please complete this section and have notarized.

Names of Partners	Partner's Address	Telephone No.
		()
		()
		()
		()

State of: _____
County of: _____ } _____

NAME OF PARTNERSHIP

PARTNER SIGNATURE

On this _____ day of _____ 20____ before me, the undersigned,
a Notary Public, in and for the county and state aforesaid, personally appeared **(PARTNER NAME)**

to me known to be the identical person who subscribed the name
of the maker thereof to the foregoing instrument as its **GENERAL PARTNER** and acknowledged to me that he/she executed the same
as his/her free and voluntary act and deed, and as the free and voluntary act and deed of such partnership, for the uses and purposes therein
and set forth.

Given under my hand and seal of office the day and year last above written. (notary seal)

My commission
expires: _____

NOTARY PUBLIC

CORPORATION

If you are applying as a **Corporation** to operate the hotel, please complete this section and have notarized.

Names of Officers	Office (Vice Pres, President)	Officer Address

Date of Incorporation:	Place of Incorporation:
Service Agent Name:	Service Agent Address:
Service Agent Telephone:	

ATTESTED TO BY:

PRINTED NAME OF SECRETARY _____ NAME OF CORPORATION _____

SIGNATURE OF CORPORATE SECRETARY _____ *BY SIGNATURE _____ Title (Must be President or Vice President)

State of: _____
County of: _____ }

On this _____ day of _____ 20____ before me, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared _____ (**PRINTED NAME OF OFFICER SIGNING ABOVE***) to me known to be the identical person who

subscribed the name of the maker thereof to the foregoing instrument as its (**VICE PRESIDENT OR PRESIDENT**) _____ and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed, and as the free and voluntary act and deed of such corporation for the uses and purposes therein set forth.
Given under my hand and seal of office the day and year last above written.

My commission expires: _____ (notary seal)

NOTARY PUBLIC

LLC

If you are applying as an **LLC** to operate the hotel, please complete this section and have notarized.

Member Names	Member Address

Manager of LLC Members:	
Date of Organization:	Place of Organization:

ATTESTED TO BY:

PRINTED NAME OF SECRETARY _____ NAME OF LLC _____

SIGNATURE OF LLC SECRETARY _____ *BY SIGNATURE (Manager of LLC Members Only) _____

State of: _____
County of: _____ }

On this _____ day of _____ 20____ before me, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared _____ (**PRINTED NAME OF MANAGER SIGNING ABOVE***) to me known to be the identical person who subscribed the name of the maker

thereof to the foregoing instrument as its **MANAGING MEMBER** and acknowledged to me that he/she executed the same as his/her free and voluntary act and deed, and as the free and voluntary act and deed of such LLC for the uses and purposes therein set forth.
Given under my hand and seal of office the day and year last above written.

My commission expires: _____ (notary seal)

NOTARY PUBLIC