



Bell County Judge Executive  
**Albey Brock**



P.O. Box 339  
Pineville, KY 40977

Phone (606) 337-3076  
Fax (606) 337-9807

FAX COVER LETTER

TO: Rich Ornstein DATE: 11-15-10

ADDRESS: KACO FAX# 502-234-5091

PHONE# \_\_\_\_\_

FROM: \_\_\_\_\_

We are sending you 7 pages (including cover letter).

If you do not receive all of these pages or if you have any difficulty receiving this transmission, please call 606-337-3076 and ask for Clara.

COMMENTS OR OTHER INSTRUCTIONS:

ORDINANCE OF BELL COUNTY FISCAL COURT

WHEREAS, the Bell County Fiscal Court wishes to promote tourist activity in Bell County.

NOW THEREFORE, be it ordained by the Fiscal Court of the County of Bell, Commonwealth of Kentucky, as follows:

IT IS HEREBY ORDERED that a recreational, tourist and convention commission for Bell County is hereby established pursuant to and by authority of KRS 91A.350.

(A) Membership of this Tourist Commission, terms, officers and employees, audits and removal of commissioners are created and governed by KRS 91A.360.

(B) Pursuant to the authority of KRS 91A.390, the Fiscal Court hereby enacts a three percent (3%) transient room tax on the rent for every occupancy of a suite, room or rooms, charged by all persons, companies, corporations or other like or similar person, groups or organizations doing business as motor courts, motels, hotels, inns or similiar accomodations businesses for the purpose of funding the Tourist Commission.

(C) Pursuant to KRS 91A.390, all monies collected under the provisions of this ordinance must be remitted to the Middlesborough/Bell County Tourist and Convention Commission for use in the attraction and promotion of

1/1  
file

tourist and convention business.

(D) There is created The Middlesborough/Bell County Tourist and Convention Commission as provided by KRS 91A.350.

(E) The Middlesborough/Bell County Tourist and Convention Commission shall be composed of seven (7) members to be appointed, jointly, by the Mayor of the City of Middlesborough/Bell County Judge/Executive in the following manner:

(1) Two (2) commissioners from a list submitted by the local city hotel and motel association. In the absence of such an association, the Mayor and the Bell County Judge/Executive shall contact all of the hotel and motel owners, or their representatives, in the City and request that they submit a list of names from which two (2) commission members shall be selected to represent the local City hotels and motels.

(2) One (1) commissioner from a list submitted by the local county hotel and motel association, provided that if only one (1) local hotel and motel association exists which covers both the city and county, then three (3) commissioners shall be appointed from a list submitted by it. In the absence of such an association, the Mayor and Bell County Judge/Executive shall contact the owners,

or their representatives, of all of the hotels and motels located in Bell County and request that they submit a list of names from which one (1) commissioner shall be selected. As an alternative, the Mayor and the Bell County Judge/Executive may make a request to all of the City and County hotels and motels for a single list from which three (3) commissioners shall be appointed.

(3) One (1) commissioner from a list submitted by the local restaurant association or associations. In the absence of such an association, the Mayor and Bell County Judge/Executive shall contact the owners, or their representatives, of all of the restaurants located in Bell County and request that they submit a list of names from which one (1) commissioner shall be selected.

(4) One (1) commissioner from a list submitted by the Bell County Chamber of Commerce.

(5) One (1) commissioner by the Bell County Judge/Executive.

(F) Vacancies shall be filled in the same manner in which the original appointments are made.

(G) The commissioners shall be appointed for terms of three (3) years provided, that in making the initial appointments, the Mayor and the Bell County Judge/Executive shall appoint two (2) commissioners for a term of three (3)

years, two (2) commissioners for a term of two (2) years, and three (3) commissioners for a term of one (1) year.

(H) Commissioners shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in the performance of their official duties. Commissioners shall be citizens of Bell County, Kentucky.

(I) A commissioner may be removed from office, jointly, by the Mayor of the City of Middlesborough and by the Bell County Judge/Executive as provided by KRS 65.007. Removes shall not require fiscal court approval.

(J) The Commission shall elect from its membership a chairman and a treasurer, and may employ such personnel as are necessary to effectively carry out the purpose of KRS 91A.350 to 91A.390.

(K) The Commission may enter into such contracts as are necessary to effectively carry out the purpose KRS 91A.350 to 91A.390. Such contracts may include, but shall not be limited to, the procurement of promotional services, advertising services and other services and materials relating to the promotion of tourist and convention business: provided, contracts of the type enumerated shall be made only with persons, organizations, and firms with experience and qualifications for providing promotional services and materials such as advertising firms, chambers

of commerce, publishers and printers. Such contract shall be submitted to the legislative bodies of the City of Middlesborough and Bell County for their review and comment prior to the execution of such contracts.

(L) The books of the Commission shall be audited annually by an independent auditor who shall make a report to the Commission, to the organizations submitting names from which commission members are selected, to the Mayor of the City of Middlesborough and to the Bell County Judge/Executive.

(M) Any powers granted to tourist and convention commissions by KRS 91A.350 to 91A.390 or subsequent statutes, which are not specifically enumerated in this ordinance, are hereby conveyed to the Middlesborough/Bell County Tourist and Convention Commission, and such statutes are hereby incorporated herein by reference and made a part thereof.

(N) The Collection and enforcement of this tax shall be carried out by the Bell County Court or other designated agent of the County. The tax shall be due on the first (1st) day of each month and shall be remitted by the Bell County Court or designated agent to the Treasurer of the Middlesborough/Bell County Tourist and Convention Commission by the tenth (10th) day of each month. The Bell County Court Clerk or designated agent shall notify the Treasurer of the

Middlesborough/Bell County Tourist and Convention Commission and the appropriate legal officer of the County each month of any delinquent taxpayers, together with the amount of any arrearage attributable thereto. The County Attorney is hereby authorized to institute any legal action that may be necessary to enforce the provisions of this ordinance.

Enacted this 15th day of May, 1991.

ATTEST:

*Jean Asher Caswood, Clerk*  
*By: Beth Hurst*  
COUNTY COURT CLERK

*Curtis Hoskins Sr.*  
COUNTY JUDGE EXECUTIVE

5-9-91  
DATE OF FIRST READING

5-15-91  
DATE OF SECOND READING AND ADOPTION