

AN ORDINANCE TO UPDATE REFERENCES TO THE CONVENTION AND VISITORS BUREAU RELATED TO BUSINESS IMPROVEMENT DISTRICT NO. 1 BY AMENDING CHAPTER 3.24 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City has established Business Improvement District No. 1 to fund the marketing and promotion of hotels and motels within the District; and

WHEREAS, the City has designated the Rapid City Convention and Visitor's Bureau as its promotion agency; and

WHEREAS, the Convention and Visitor's Bureau will be spun off from the Chamber of Commerce and has incorporated a separate and distinct legal entity named Visit Rapid City; and

WHEREAS, the Common Council desires to update the municipal code to reflect the new legal entity that has been formed to carry on the work of the former Convention and Visitor's Bureau.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Section 3.24.030 of the Rapid City Municipal Code be and is hereby amended to read in its entirety as follows:

3.24.030 Purpose of District.

Business Improvement District No. 1 is created for the purpose of funding a portion or all of the future proposed public activities, facilities and improvements, along with the costs of acquisition, construction, maintenance, operation and repair of such improvements, facilities or activities:

The marketing and promotion of the City of Rapid City and the hotels and motels located within the district through [Visit Rapid City](#) ~~the Rapid City Area Convention and Visitors Bureau~~.

BE IT FURTHER ORDAINED by the City of Rapid City, that Section 3.24.035 of the Rapid City Municipal Code be and is hereby amended to read in its entirety as follows:

3.24.035 Board.

There is hereby continued, as has been previously established pursuant to SDCL ch. 9-55, a Business Improvement District No. 1 Board.

A. Composition.

1. *Voting members.* The Board shall consist of seven voting members, who shall be appointed by the Mayor with the approval of the Common Council. Persons who are eligible to be members of the Board include the following:

- a. An owner of property located in the District;
- b. An owner of a business located in the District; or
- c. An operator of a business located in the District.

d. For purposes of this section, if the business or property is owned or operated by a legal entity and not a natural person, such entity may designate an officer, director, member, manager, partner or employee as its representative for purposes of Board membership.

2. *Non-voting members.* The Board shall also include the following ex-officio non-voting members:

- a. The Mayor;
- b. The ~~Convention and Visitors Bureau~~ Executive Director [of Visit Rapid City](#); and
- c. An Alderman chosen by the City Council President.

B. *Terms.* All voting members of the Board shall be appointed to serve a 3-year term. A member of the Board may serve more than 1 term. Terms shall be staggered so that no more than 3 voting members' terms end at the same time.

C. *Vacancies.* The Mayor, with the approval of the Common Council, shall fill any vacancy of voting members for the remainder of the term vacated.

D. *Officers.* The Board shall annually select from its voting members a chair, vice chair, and secretary.

E. *Compensation.* All members of the Board shall serve as such without compensation, except for actual expenses, which shall be subject to approval of the Common Council.

BE IT FURTHER ORDAINED by the City of Rapid City, that Section 3.24.110 of the Rapid City Municipal Code be and is hereby amended to read in its entirety as follows:

3.24.110 Payment of occupational tax proceeds to [Visit Rapid City](#) ~~Convention and Visitors Bureau~~.

Once the occupational tax has been collected, the City Finance Office shall subtract its administrative costs and forward the remaining balance to [Visit Rapid City](#) ~~the Rapid City Convention and Visitors Bureau~~. ~~The Convention and Visitors Bureau~~ [Visit Rapid City](#) will then use the proceeds to market and promote the city and the hotels within the district.

CITY OF RAPID CITY

Mayor

Attest

Finance Officer

(seal)