



Board Agenda Item 36

DATE: April 21, 2026

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Adoption of Amendment to the Ordinance Code of Fresno County, Adding of Chapter 4.14, "Transient Occupancy Tax"

RECOMMENDED ACTION(S):

Conduct second hearing to add Chapter 4.14, "Transient Occupancy Tax" to Title 4 of the Ordinance Code of Fresno County; and waive reading of the Ordinance in its entirety; and adopt the proposed Ordinance.

There is no additional Net County Cost associated with the recommended actions. The County of Fresno (County) is one of three counties in the State of California with no Transient Occupancy Tax (TOT). Approval of the recommended actions will amend the Fresno County Ordinance Code to include a TOT. Approval of the recommended actions introduces an ordinance that, if passed by the Board, would only be operative as of the date of the election at which it is approved by a majority in a countywide election. Approval of the recommended actions would not implement the actual TOT but is a necessary step for your Board's final consideration to place the TOT on the November 2026 ballot. The next step, at a future meeting, would be adoption of a resolution to put the measure on the ballot. This item is Countywide.

ALTERNATIVE ACTION(S):

Should your Board choose not to approve the recommended actions, the County would not have an ordinance authorizing a TOT to be placed on the ballot.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. However, should the TOT be placed on the ballot, it is estimated that the cost will be \$450,000, and would be included in future budget requests in Org 2850 County Clerk-Elections.

DISCUSSION:

On April 7, 2026, your Board conducted the first hearing to add Chapter 4.14, "Transient Occupancy Tax" to Title 4 of the Ordinance Code of Fresno County. A TOT is a tax on short-term lodging stays of 30 days or less. It applies to stays in hotels, motels, short-term rentals, and other lodging. This tax is paid by the people who stay in the lodging.

The amount of TOT is determined as a percentage of the rent charged by the operator of a lodging. The proposed Ordinance would levy TOT at the rate of 12%. For example, at that rate, if an operator charged rent of \$200 for a one-night stay in a lodging, the TOT for that night would be \$24. Under the proposed Ordinance, operators of lodgings would be required to charge and collect the TOT, and to remit it at least

quarterly to the Auditor-Controller/Treasurer-Tax Collector (ACTTC). Operators would also be required to register with the ACTTC and to submit certain information to the ACTTC that is needed to collect the tax. Operators who fail to submit the required information would be subject to deficiency assessments of TOT by the ACTTC, pursuant to the terms of the proposed Ordinance. The proposed Ordinance includes administrative procedures for operators to challenge such determination by the ACTTC and to seek refunds. If operators do not collect and remit TOT pursuant to the ordinance, the ACTTC would have the power to record a lien against their properties, which would have the effect of a judgment lien.

According to the California State Controller's most current report, the County is one of three counties that do not levy a TOT. As a result, the cost of County services generated by visitor activity in unincorporated areas is borne by local taxpayers. An analysis of the rates of TOT in California counties show a range of 4-14%, the most common range being 8-12%. Neighboring counties have the following TOT rates (in the order of highest to lowest):

- Mariposa 12%, Kings 10%, Merced 10%, Tulare 10%, Madera 9%, San Joaquin 8%, and Kern 6%.

The cities located within the unincorporated area of the County have their own TOT rates as follows (in the order of highest to lowest):

- Clovis 12%, Fresno 12%, Kingsburg 12%, Selma 12%, Fowler 10%, Huron 10%, Kerman 10%, Orange Cove 10%, Mendota 9%, Coalinga 6%, Firebaugh 4%, Parlier 4%, Sanger 4%, San Joaquin 0% (it is unknown whether San Joaquin has any hotels, motels or other lodging).

The proposed Ordinance would levy TOT at the rate of 12%.

For the Ordinance to be effective, a majority of qualified voters in the County need to vote in support of it.

The Fresno/Clovis Convention and Visitors Bureau also known as Visit Fresno County is in support of a TOT for the County.

The summary of the ordinance was published in the Business Journal in accordance with Gov. Code § 25124.

REFERENCE MATERIAL:

BAI #10, April 7, 2026

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance (Chapter 4.14)

CAO ANALYST:

Sevag Tateosian