

## **TITLE 4**

### **BUSINESS LICENSES AND REGULATIONS**

**Chapters:**

- 4.04 Electric Franchise
- 4.08 Gas Franchise
- 4.12 Telephone Franchise
- 4.16 Tax on Private Clubs
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### **CHAPTER 4.04**

#### **ELECTRIC FRANCHISE**

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- 4.04.02 Rights and responsibilities of grantor and grantee
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4.04.01 Electric franchise granted to Arkansas Power and Light Company The city of Wynne, Arkansas (hereinafter called Grantor) hereby grants to the Arkansas Power and Light Company, its successors and assigns (hereinafter called Grantee), the exclusive right, privilege and authority within the present and all future expansion of the corporate limits of the city of Wynne, Arkansas, (1) to sell, furnish, transmit and distribute electric power and energy to Grantor and to all inhabitants and consumers within said limits, and (2) to construct, maintain, operate and extend a system for such purposes and to enter on, under and upon and use any and all of the streets, alleys, avenues, bridges and other public grounds and ways belonging to, or under the control of Grantor, for the purpose of erecting, maintaining, repairing, replacing and operating poles, wires, anchors, stubs, transformers, substations, cables, conduits and

other related facilities, appliances and apparatus which are necessary for, or useful in, the furnishing, sale, transmission or distribution of said electric service (hereinafter called facilities).

4.04.02 Rights and responsibilities of grantor and grantee. Grantee shall, and does by acceptance hereof, agree to provide to the city and its inhabitants adequate and reasonable electric service as a public utility and the facilities necessary to provide such service. Grantor, in recognition of the large and continuing investment necessary for Grantee to perform its obligations hereunder, and the need and duty to promptly construct its facilities, as defined above, required to serve customers, in all areas and zones of the city, consents to the construction of such facilities as defined in Section 4.04.01 in all such areas and zones, and Grantor agrees to protect by ordinance, regulation and otherwise, to the fullest extent permitted by law, and except as otherwise, limited herein, the grants of rights and privileges to Grantee set forth in Section 4.04.01 from interference with, or duplication by, other persons, firms or corporations seeking to engage in the sale or distribution of electric energy.

4.04.03 Rights and responsibilities of grantor and grantee. All facilities of Grantee which may be located on public ways, places and public property, as authorized herein, shall be located so as to not unreasonably obstruct public use and travel. All of Grantee's facilities shall be constructed, operated and maintained in accordance with standards at least equivalent to the standards prescribed by the National Electrical Safety Code. Grantee, its successors and assigns, shall replace and repair, at its own expense, all excavations, holes or other damage caused or done by it to public streets, ways, places and public property in the construction, operation and maintenance of its facilities.

4.04.04 Rights and responsibilities of grantor and grantee. The Grantee, its successors and assigns, is hereby given the right to trim, cut or remove trees, shrubbery or growth on or in public ways, places and public property which interfere or offer hazards to the operation of Grantee's facilities used or useful for the rendition of electric service, and further, Grantee is hereby given the right, authority and permission to trim, cut and remove portions of trees, shrubbery or growth growing on private property but overhanging or encroaching on public ways, places and public property which interfere or offer hazards to the construction, operation and maintenance of Grantee's facilities.

4.04.05 Termination procedure. The rights, privileges and authority hereby granted shall exist and continue from the date of passage of this ordinance, and thereafter, until termination in accordance with provisions of Section 44 of Act 324 of the 1935 Acts of the State of Arkansas, as presently enacted or hereinafter amended.

4.04.06 Rates. The rates which are to be charged by Grantee for electric service hereunder shall be those which are now lawfully approved or prescribed, and as said rates may, from time to time, be amended by Grantee in accordance with law or by any regulatory authority having jurisdiction thereof.

4.04.07 City not liable for negligence of grantee. In the construction, operation, and maintenance of its facilities, said Grantee shall use reasonable and proper precaution to avoid damage or injury to persons or property and shall hold and save harmless the said Grantor from damage, injury, loss or expense caused by the negligence of the Grantee, or its agents, servants, or employees, in constructing, operating and maintaining said facilities or in repaving or repairing any streets, avenues, alleys, bridges or other public grounds.

4.04.08 Standard of care for facilities. The Grantee shall endeavor at all times to keep its facilities in a reasonable state of repair, and to conform to such practices and install such appliance and equipment as may be in keeping with the customary usage and practice in cities of similar size in this State during the time this franchise shall remain in force.

4.04.09 Franchise tax. During the life of this franchise, the Grantee shall pay to Grantor each year, a franchise tax in an amount equal to: Four and twenty-five hundredths percent (4.25%) of the preceding calendar year's gross residential and commercial electric revenues as paid to the Grantee by residential and commercial customers located within the corporate limits of the City of Wynne. Payments shall be made by the Grantee to the Grantor in approximately equal quarterly installments. Residential and commercial electric revenues are those revenues so classified pursuant to Grantee's uniform classification standards. Grantor shall have the right to examine and verify, from the records of the Grantee, any data relating to the gross revenues of Grantee from customers on which said franchise tax is due. In the event of a controversy, between the Grantor and Grantee as to the amount of gross revenues received by Grantee in the City of Wynne upon which said tax is due, such controversy shall be referred to the Arkansas Public Service Commission, or such successor regulatory agency which may have jurisdiction over the Grantee, for final determination, and the decision of said Commission shall be binding upon both parties hereto.

It is expressly agreed and understood by the Grantor and Grantee that the aforesaid payment shall constitute and be considered as complete payment and discharge by the Grantee, its successors and assigns, of all licenses, fees, charges, impositions or taxes of any kind (other than automobile license fees, special millage taxes, general ad valorem taxes and other general taxes applicable to all citizens and taxpayers) which are now or might in the future be imposed by the Grantor under authority conferred upon the Grantor by law. In the event such other tax or taxes are imposed by Grantor, the obligation of the Grantee set forth in Section 4.04.09 hereof, to pay the city the sum of four and twenty-five hundredths percent (4.25%) annually of the gross residential and commercial electrical revenues shall immediately terminate.

4.04.10 Street lighting. Electric service furnished the Grantor for street lighting and other purposes shall be paid for by the Grantor in accordance with the applicable rate schedules of the Grantee now on file and/or as they may in the future be filed by the

Grantee and approved by the Arkansas Public Service Commission or other regulatory authority having jurisdiction. The Grantee shall have the privilege of crediting any amount due Grantor with any unpaid balances due said Grantee for electric service rendered to said Grantor.

4.04.11 Private generation facilities allowed. Nothing herein shall be construed to prohibit any person, firm or corporation from owning and operating facilities for generating, distributing, or furnishing electric energy for his or its own use or for the use of his or its tenants, all of which facilities and use are wholly on the same premises owned by such person, firm or corporation.

#### Chapter 4.08

#### GAS FRANCHISE

##### Sections:

4.08.01	Gas franchise granted to Arkansas Louisiana Gas Company
4.08.02	Rights and responsibilities of Gas Company and city
4.08.03	Franchise tax
4.08.04	Construction of chapter

4.08.01 Gas franchise granted to Arkansas Louisiana Gas Company The Arkansas Louisiana Gas Company (hereinafter sometimes referred to as the "Gas Company") is duly authorized by franchise ordinance heretofore enacted to operate a gas distribution system and appurtenances thereto, used in, or incident to the rendition of gas service to Wynne and the inhabitants thereof residing in the city.

4.08.02 Rights and responsibilities of Gas Company and city. The Gas Company is now occupying and shall continue to occupy the streets and alleys of Wynne for the purpose of operating, maintaining and extending its gas service to the city and the inhabitants and consumers residing in the city, and shall continue to supply to the city and consumers therein gas service.

4.08.03 Franchise tax. The amount of occupation, license or franchise tax to be paid by the Gas Company for the year and subsequent years, until changed by ordinance, shall be determined and computed as Follows:

4.08.04 Construction of chapter. This chapter shall not be construed to alter or change the terms or conditions of the present franchise under which the Gas Company is operating.

Nothing in this chapter shall be construed to alter or change the present rate schedule under which the Gas Company is now operating, except by order of the Arkansas Public Service Commission or other legally constituted bodies.

## Chapter 4.12

### TELEPHONE FRANCHISE

#### Sections:

- 4.12.01 Authority granted for operation of telephone system
- 4.12.02 Tax imposed upon Southwestern Bell Telephone Company
- 4.12.03 Tax shall be in lieu of other charges
- 4.12.04 Temporary moving of lines
- 4.12.05 Permission to trim trees
- 4.12.06 Ordinance does not require or permit electric light or power wire attachments
- 4.12.07 Exclusive privileges not given

4.12.01 Authority granted for operation of telephone system. The Southwestern Bell Telephone Company, its successors and assigns (herein referred to as "Telephone Company") shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the City of Wynne, State of Arkansas, (herein referred to as "City"). The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said city shall remain as now constructed, subject to such changes as may be considered necessary by the city in the exercise of its inherent powers and by the Telephone Company in the conduct of its business, and said Telephone Company shall continue to exercise its rights to place, remove, construct and reconstruct, extend and maintain its said plant and appurtenances as the business and purpose for which it is or may be incorporated may from time to time require, along, across, on, over, through, above and under all the public streets, avenues, alleys, and the public grounds and places within the limits of said city as the same from time to time may be established. (Ord. No. 486, Sec. 1)

4.12.02 Tax imposed upon Southwestern Bell Telephone Company. Beginning in 1984, the Telephone Company shall pay to the city for the period January 1, 1984 through December 31, 1984, inclusive and thereafter for like periods an amount equal to four percent (4%) of the access line billing within the corporate limits during the preceding year. Payments shall be in equal quarterly installments on or before the last day of March, June, September and December of each year. (Ord. No. 486, Sec. 2)

4.12.03 Tax shall be in lieu of other charges. The annual payment herein required shall be in lieu of all other licenses, charges, fees or impositions (other than the usual general or special ad valorem taxes) which may be imposed by the city under authority conferred by law. The Telephone Company shall have the privilege of crediting such sums with any unpaid balance due said Company for telephone services rendered or facilities furnished to said city. (Ord. No. 486, Sec. 3)

4.12.04 Temporary moving of lines. The Telephone Company on the request of any person shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or parties requesting the same, and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than forty-eight (48) hours advance notice to arrange for such temporary wire changes. (Ord. No. 486, Sec. 4)

4.12.05 Permission to trim trees. Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said city so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Company, all the said trimming to be done under the supervision and direction of any city official to whom said duties have been or may be delegated. (Ord. No. 486, Sec. 5)

4.12.06 Ordinance does not require or permit electric light or power wire attachments. Nothing in this chapter contained shall be construed to require or permit any electric light or power wire attachments by the city or for the city. If light or power attachments are desired by the city or for the city, then a separate non-contingent agreement shall be a prerequisite to such attachments.

4.12.07 Exclusive privilege not given. Nothing herein contained shall be construed as giving to the Telephone Company any exclusive privileges, nor shall it affect any prior or existing right of the Telephone Company to maintain a telephone system within the city.

## Chapter 4.16

### TAX ON PRIVATE CLUBS

#### Sections:

#### 4.16.01 City tax levied

4.16.01 City tax levied. All private clubs within the city serving alcoholic beverage shall pay to the city a supplemental tax equal to one-half of the amount paid to the state. Proceeds from this tax shall be deposited in the city's General Fund.

## **CHAPTER 4.20**

### **CABLE TELEVISION FRANCHISE**

**Sections:**

4.20.01	Franchise granted to East Arkansas Video
4.20.02	Grantee obligations
4.20.03	Facilities
4.20.04	Encroachments
4.20.05	Period
4.20.06	Grantor held harmless
4.20.07	Repair
4.20.08	Franchise fee
4.20.09	Contract
4.20.10	Rates
4.20.11	Franchise granted to Ritter Communications Holding
4.20.12	Franchise fee
4.20.13	Monthly payment
4.20.14	Revenues certified
4.20.15	Telephone service carrier
4.20.16	Extension

4.20.01 Franchise granted to East Arkansas Video The city of Wynne, Arkansas, (hereinafter called "Grantor"), hereby grants to the East Arkansas Video, Inc., its successors and assigns (hereinafter called "Grantee") the right, privilege and authority within the present and all future expansion of the corporate limits of the city of Wynne, Arkansas.

- A. To sell, furnish, transmit and distribute by cable television, radio, video and audio programs, entertainment and services via community antenna television facility to Grantor and to all inhabitants and consumers within said limits, and,
- B. To construct, maintain, operate and extend a system for such purposes and to enter on, under and upon and use any and all of the streets, alleys, avenues, bridges, and other public grounds and ways belonging to, or under the control of Grantor, for the purpose of erection, maintaining, repairing, replacing and operating poles, wiring, anchors stubs, relay stations, cables, conduits and other related facilities, appliances and apparatus which are necessary for, or useful in, the furnishing, sale, transmission or distribution of said services (hereinafter called facilities). (Ord. No. 569, Sec. 1.)

- C. A five year extension of the franchise granted East Arkansas Video, Inc. in Ord. No. 569, 4.20.05 herein is conditional and is made in specific consideration and upon the express condition precedent that East Arkansas Video, Inc., immediately proceed to completely rebuild its existing Community Antenna Television System in the city of Wynne and take all other steps necessary to establish a modern Fiber Optic Community Antenna Television System utilizing the most current commercially reasonable, technological equipment so as to result in a reliable system, of having a capacity of a minimum of 80 analog channels. Rebuild shall be completed within a 20 month period of time from the passage of this ordinance. In the event East Arkansas Video, Inc. fails to comply with the provisions of this section, the city of Wynne, prior to the expiration of the said 20 month period, has the option of making this extension become null and void. Any challenges shall be made in writing and shall state the alleged deficiencies in detail and a reasonable estimate of time it should take to correct such deficiencies. East Arkansas Video, Inc., shall have a reasonable time within which to correct such alleged deficiencies, taking into account the nature and extent thereof. (Ord. No. 576, Sec. 1.)
- D. In consideration of the substantial investment of East Arkansas Video for facilities and improvements as contemplated by Section 1, the city of Wynne, Arkansas, does hereby grant unto East Arkansas Video, its successors and assigns, an option for extension of the five year franchise granted pursuant to Ord. No. 569. Upon notice to the city of Wynne within six months prior to the expiration of the initial five year term pursuant to Ord. No. 569, East Arkansas Video, Inc., shall have the option of an additional five year term commencing on April 1, 2002, and continuing for a five year period thereafter. Further, at the conclusion of the second five year extension, East Arkansas Video, its successors and assigns, shall have an option for an additional five year extension commencing April 1, 2007, provided, it shall have given six months' notice of its intent to exercise its option, to the city of Wynne. (Ord. No. 576, Sec. 2.)

4.20.02 Grantee obligations Grantee shall and does by acceptance hereof, agree to provide to the city and its inhabitants adequate and reasonable service and to provide the facilities necessary to provide such service. (Ord. No. 569, Sec. 2)

4.20.03 Facilities All facilities of Grantee which may be located on public ways, places and public property, as authorized herein, shall be located so as to not unreasonably obstruct public use and travel. All of Grantee's facilities shall be at least equivalent to the standards prescribed by the Federal Communication Commission. Grantee, its successors and assigns, shall replace and repair, at its own expense, all excavations, holes or other damage caused or done by it to public streets, ways, places and public property in the construction, operation, and maintenance of its facilities. (Ord. No. 569, Sec. 3)



4.20.04 Encroachments The Grantee, its successors and assigns, is hereby given the right to trim, cut or remove trees, shrubbery or interference or other hazards to the operation of Grantee's facilities used or useful for the rendition of said services and, further., Grantee is hereby given the right, authority and permission to trim, cut and remove portions of trees, shrubbery or growth growing on private property or overhanging or encroaching on public ways, places and public property which interfere or offer hazards to the construction, operation and maintenance of Grantee's facilities. (Ord. No. 569, Sec. 4)

4.20.05 Period The rights, privileges and authority hereby granted shall exist and continue for a period of five (5) years from April 1, 1997. This Franchise shall be binding on the city of Wynne and East Arkansas Video, Inc. (EAV), its successors and assigns, provided however, that EV shall not sell nor assign this Franchise without notifying the Mayor and City Council of Wynne and securing their approval of the individual, partnership or corporation that will assume the obligations of this agreement, said approval not to be unreasonably withheld. (Ord. No. 569, Sec. 5.)

4.20.06 Grantor held harmless In the construction, operation, and maintenance of its facilities, said Grantee shall use reasonable and proper precaution to avoid damage or injury to persons or property and shall hold and save harmless the said Grantor from damage, injury, loss or expense caused by the negligence of the Grantee, or its agents, servants or employees, in construction, operating and maintaining said facilities or in repaving or repairing any streets, avenues, alleys, bridges or other public grounds. (Ord. No. 569, Sec. 6.)

4.20.07 Repair The Grantee shall endeavor at all times to keep its facilities in a reasonable state of repair, and to conform to such practices and install such appliances and equipment as may be in keeping with the customary usage and practice in cities of similar size in this state during the time this franchise shall remain in force. (Ord. No. 569, Sec. 8.)

4.20.08 Franchise fee There is hereby imposed and EAV shall pay to the city a communications service franchise fee in an amount equal to three and one-half percent (3.50%) of EAV's gross subscriber revenues as defined by 4.20.08 of Ord. No. 569, collected within the city's corporate limits during the previous month (the "Cable Franchise Fee"). (Ord. No. 742, Sec. 2.)

EAV's Cable Service Franchise Fee shall be paid to the city monthly on the 15<sup>th</sup> day of each month following collection. On a monthly basis, by the 15<sup>th</sup> day of the month, EAV shall certify to the city EAV's gross subscriber revenues collected during the previous month in Wynne, Arkansas, (Ord. No. 742, Sec. 3-4.)

Grantor shall have the right to examine and verify from the records of the Grantee, any data relating to the gross revenues of Grantee from customers of which said franchise tax is due. It is expressly agreed and understood by the Grantor and Grantee that the aforesaid payment

shall constitute and be considered as complete payment and discharge by the Grantee, its successors and assigns, of all licenses, fees, charges, impositions or taxes of any kind (other than automobile license fees, special millage taxes, general ad valorem taxes and other general taxes applicable to all citizens and tax payers) which are not or might in the future be imposed by the Grantor under authority conferred upon the Grantor by law. (Ord. No. 569, Sec. 8.)

4.20.09 Contract EAV is hereby granted non-exclusive franchise to provide cable services to city residents over its existing telecommunications system and lawful additions therefore located within the city. (Ord. No. 742, Sec. 1.)

4.20.10 Rates The rates which are to be charged by Grantee for said services shall be as follows:

Residential Installation Charge

Base outlet	\$10.00
Additional outlets	5.00
Transfer within buildings	5.00
Transfer from one building to another	7.50
Residential monthly service charge	6.50
Less discount if paid by 10th of the month	<u>.55</u>
	5.95

Additional residential outlet (each)	1.50
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Installation charge - motels and apartment houses, nursing homes, hospitals and other commercial buildings shall be based upon the actual cost plus ten percent (10%) thereof, and the monthly service charge shall be as follows:

First 25 units (per unit)	1.50
Second 25 units (per unit)	1.35
All additional units (per unit)	1.25

Adjustments upon the charges for community antenna television services set forth above may be made at any time during the term of this franchise in order to assure Grantee a reasonable return upon its investment, if the rates set forth above are inadequate for it to profitably provide said services.

The rates to be charged for all other services to be furnished Grantee, if any, shall be negotiated with Grantor upon a reasonable basis at the time the furnishing of said service becomes feasible. (Ord. No. 440, Sec. 1.)

4.20.11 Franchise granted to Ritter Communications Holdings Ritter is hereby granted a non-exclusive franchise to provide cable services to city residents over its existing telecommunications system and lawful additions therefore located within the city. (Ord. No. 741, Sec. 1.)

4.20.12 Franchise fee There is hereby imposed and Ritter shall pay to the city a communications service<sup>3</sup> franchise fee in an amount equal to three and one-half percent (3.50%) of Ritter's gross subscriber revenues, as defined by 4.20.08 of Ord. No. 569, collected within the city's corporate limits during the previous month (the "Cable Service Franchise Fee"). (Ord. No. 741, Sec. 2.)

4.20.13 Monthly payment Ritter's Cable Service franchise fee shall be paid to the city monthly on the 15<sup>th</sup> day of each month following collection. (Ord. No. 741, Sec. 3.)

4.20.14 Revenues certified On a monthly basis by the 15<sup>th</sup> day of the month, Ritter shall certify to the city Ritter's gross subscriber revenues collected during the previous month in Wynne, Arkansas. (Ord. No. 741, Sec. 4.)

4.20.15 Telephone service carrier Nothing herein contained shall be construed as altering or amending any other rights of the city or Ritter as provided for in city Ord. No. 486 pertaining to local access telephone service and local access telephone service carrier franchise fees. The Cable Service franchise fee to be paid by Ritter to the city shall be in addition to Ritter's payment of the city's local access telephone service carrier franchise fee. (Ord. No. 741, Sec. 5.)

4.20.16 Extension The franchise granted under this ordinance commences upon adoption by the City Council and shall continue for fifteen (15) years, unless renewed or terminated sooner. So long as Ritter remains in material compliance with the provisions of this ordinance, Ritter, at its option, may extend the term for an additional fifteen (15) years by providing written notice to the city no more than twenty-four (24) months, but not less than twelve (12) months before expiration of the initial term. (Ord. No. 741, Sec. 6.)

## **CHAPTER 4.24**

### **OCCUPATIONAL LICENSES**

#### **Sections:**

4.24.01	License required
4.24.02	License procurement, penalty for failure to produce
4.24.03	Application
2.42.04	Statement and proof as to value of stock
4.24.05	False statements by applicants; failure to furnish required information
4.24.06	General fee schedule
4.24.07	Fee schedule based on value of stock
4.24.08	Amount of fee when not classified by ordinance
4.24.09	Amount of fee in case of multiple classification
4.24.10	Posting
4.24.11	Postage and handling
4.24.12	Mailing of statement
4.24.13	Privilege licenses

4.24.01 License required Subject to the provisions of this ordinance, it shall be unlawful for any person, firm or corporation to engage in, follow or carry on in the city any of the businesses, trades, occupations, vocations, callings or professions specified in this ordinance, unless he has a current license so to do issued by the City Collector. (Ord. No. 432, Sec. 1)

4.24.02 License procurement; penalty for failure to produce All licenses provided for under this ordinance shall be issued only by the City Collector and paid for in advance. The time for payment for all licenses shall expire at midnight on the last day of June. No license shall be issued for a shorter period of time than the full current year. The current year is hereby defined to mean from and including the first day of July in each year to midnight on the last day of the following June. Provided any person, firm or corporation desiring to exercise or pursue any of the occupations, professions or businesses mentioned herein after the first day of July and before the first day of October of each year shall be required to pay the full amount of the license specified and set out in this ordinance, after the last day of September and before the first day of January three-fourths (3/4) of the amount specified and set out in this ordinance, after the thirty-first day of December and before the first day of April one-half ( 1/2 ) the amount specified and set out in this ordinance, after the last day of March and before the first day of July one-fourth (1/4) of the amount specified and set out in this ordinance.

Any person failing or refusing to procure a license within the time stated in this section shall pay a penalty of ten percent (10%) of the amount of the license fee required. In addition, if any person engages in any activity for which a license is required without procuring such license within the time stated in this section, he shall be guilty of a misdemeanor and subject to a fine of not less than Five Dollars (\$5.00) nor more than double the amount of the license fee required and each day that such person shall continue to operate or engage shall be considered a separate offense.

The City Collector shall account immediately to the City Treasurer for all amounts collected. (Ord. No. 432, Sec. 2)

4.24.03 Application Applications for licenses provided for in this ordinance shall be made to the City Collector. Each application shall indicate the character of business for which a license is asked, the number of employees, the average stock carried on hand, the location of the business and, if a hotel, the number of rooms offered to the public for use. Such application shall contain such further information as is necessary to determine the amount of the fee provided for such license and the same shall be sworn to by the applicant. (Ord. No. 432, Sec. 3)

4.24.04 Statement and proof as to value of stock In all cases where the amount to be paid for the license depends upon the value of stock, it is hereby made the duty of the person applying for the license to render to the City Collector a sworn statement upon a proper form to be furnished by the City Collector of the value of such stock and such further proof as the City Collector shall demand to show the actual value of the stock. A certified receipt evidencing the insured value of such stock may be accepted as proof of said value. (Ord. No. 432, Sec. 4)

4.24.05 False statements by applicants; failure to furnish required information It shall be unlawful for any person to knowingly and willfully make a false written or verbal statement in applying for a license under this ordinance for the purpose of defrauding the city by which statement a license is procured for a less sum than is lawfully due hereunder. It shall likewise be unlawful for any person to fail or refuse to furnish the City Collector all required information to properly determine the amount of the annual occupational license fee in accord with the provisions of this ordinance. (Ord. No. 432, Sec. 5)

4.24.06 General fee schedule The fees for licenses provided for by this ordinance shall be as set out opposite the following businesses, trades, occupations, vocations, callings or professions, such fees to be paid each year unless otherwise specified:

1.	Abstractors	\$35.00
2.	Accountants and auditors	\$35.00
3.	Advertising agencies	\$35.00
4.	Air conditioning and heating	
	repairs only	\$35.00
	sales and installation	\$50.00

5.	Amusement parks	\$75.00
6.	Ambulance & ambulance services per ambulance	\$50.00
7.	Animal shows per day	\$200.00
8.	Architects, draftsmen and blueprinters	\$35.00
9.	Automobile & implement dealers	
	new sales	\$100.00
	used sales	\$50.00
10.	Automobile repairs, garages and shops	\$25.00
11.	Bakeries	\$35.00
12.	Banking institutions	\$200.00
13.	Barber shops, 1 <sup>st</sup> chair	\$15.00
	each additional chair	\$3.00
14.	Beauty shops, 1 <sup>st</sup> chair	\$15.00
	each additional chair	\$3.00
15.	Beer and light wine dealers	\$50.00
16.	Bottlers	\$50.00
17.	Bowling alleys	\$50.00
18.	Brokerage businesses	\$50.00
19.	Bus stations	\$35.00
	bus stations with telegraph	\$15.00
	bus stations with cafe	\$25.00
20.	Butane gas and accessories	\$50.00
21.	Cabinet shops	\$35.00
22.	Carnivals	
	commercial carnivals, 1 <sup>st</sup> day	\$250.00
	each additional day	\$50.00
	charitable carnivals	\$175.00
23.	Carport, garage, yard sales	\$35.00
	(Said classification includes only those sales activities carried on by the same person or persons who have had such sales on at least three (3) separate occasions during any consecutive three (3) month period of the taxable year.)	
24.	Chiropodists	\$35.00
25.	Chiropractors	\$35.00
26.	Circuses	\$250.00
	for each parade	\$25.00
27.	Clinics and hospitals	\$50.00
28.	Computer service centers	\$75.00
29.	Concrete mix plants	\$50.00
30.	Confectionery & ice cream stands	\$35.00
31.	Cotton buyers	\$30.00
32.	Cotton compresses	\$75.00
33.	Cotton gins	\$35.00

34.	Credit bureau	\$35.00
35.	Dance studios	\$25.00
36.	Doctors, physicians, surgeons, and dentists	\$35.00
37.	Drays	\$35.00
38.	Drive-ins	\$35.00
39.	Dry cleaners	\$25.00
40.	Filling stations, 1 <sup>st</sup> pump	\$20.00
	each additional pump	\$2.50
41.	Finance companies & money lenders (other than banks)	\$200.00
42.	Fish dealers	\$25.00
43.	Florists	\$35.00
44.	Fortune tellers	\$1,200.00
45.	Foundries, machine shops and welding shops	\$30.00
46.	Fruit stands and vegetable produce stands	\$20.00
47.	Fruit tree, shrubbery dealers, and transit vendors	\$25.00
48.	Gasoline, oil, fuel, illuminating, naphtha, grease dealers, & bulk oil plants	\$75.00
49.	Graineries	\$100.00
50.	Gravel companies (city based or 50% business in city) each truck	\$10.00
51.	Harness or shoe repair shops	\$20.00
52.	Hay or feed merchants (operating from a motor vehicle)	\$25.00
53.	Heavy equipment rentals	\$35.00
54.	Hotels and motels	
	hotels and motels without restaurant- per room per year	\$2.00
	hotels and motels with restaurant	\$35.00
55.	Ice manufacturers	\$100.00
56.	Ice cream manufacturers or factories	\$35.00
57.	Industrial operations	
	employing 49 persons or less	\$100.00
	employing 50 persons or over	\$125.00
58.	Insurance agents - except those exempt under A.C.A. 26-77-102	\$35.00
59.	Itinerant cosmetics sales	\$25.00
60.	Itinerant house merchandise sales	\$25.00
61.	Itinerant jewelry sales	\$25.00
62.	Job printing officers	\$35.00
63.	Junk or salvage dealers	\$55.00
64.	Laundries	
	laundries with pick-up in city and non-residents	\$50.00
	laundromats	\$35.00
65.	Lawyers - each	\$35.00
66.	Liquor dealers (retailers and wholesalers)	\$200.00
67.	Livestock drivers or dealers	\$35.00
68.	Lumber or other wood products (sold from motor vehicles)	\$35.00

69.	Mail order houses		\$350.00
70.	Marble and monument dealers		\$35.00
71.	Medicine shows		\$50.00
72.	Milk or bread distributors		\$35.00
73.	Minnow pits & live bait dealers		\$20.00
74.	Morticians & funeral homes		\$100.00
75.	Motion picture shows		\$50.00
76.	Motor freight lines		\$75.00
77.	Newspaper dealers or newspaper agents		\$20.00
78.	Newspaper publishers		
	daily		\$50.00
	weekly		\$35.00
79.	Nightclubs with live music		\$50.00
80.	Nurseries for the keeping of small children		\$35.00
81.	Opticians, optometrists, osteopaths		\$35.00
82.	Pharmacies		\$35.00
83.	Photographers		\$25.00
84.	Pinball, music and vending machines - each		\$5.00
85.	Pool rooms, billiard halls and domino parlors – per table		\$10.00
86.	Popcorn machines (on the street)		\$10.00
87.	Poultry and feed dealers		\$35.00
88.	Radio and T.V. sales & service		\$35.00
89.	Radio and T.V. repair, only		\$30.00
90.	Radio broadcasting stations		\$35.00
91.	Real estate agents & brokers		\$35.00
92.	Rental agents		
	apartments and condominiums –	3 to 5 apts. each	\$5.00
		5 to 10 apts each	\$4.00
		10 to 40 apts each	\$3.00
	Houses (3 up) each		\$5.00
93.	Restaurants - cafes		
	restaurants without beer		\$30.00
	restaurants with beer		\$45.00
94.	Self-service car wash		\$25.00
95.	Sewing machine dealers		\$25.00
96.	Sign Painters		\$25.00
97.	Skating rinks		\$50.00
98.	Specialty sales		\$25.00
99.	Surveyors and civil engineers		\$35.00
100.	Tailors		\$25.00
101.	Taxicabs, each		\$100.00
102.	Tent or Trailer Shows per day		\$200.00
103.	Tire recapping		\$35.00



104.	Tinners and tin shops	\$25.00
105.	Trailer courts mobile home rent parks (rented spaces) – per space	\$2.00
106.	Office equipment (sales & repair)	\$35.00
107.	Veterinarians	\$35.00
108.	Upholstery shops and furniture repair	\$25.00
109.	Warehouses and maxi-midi-mini storage	\$40.00
	plus \$2.00 additional per storage unit in excess of 25 units	
110.	Mobile home sales	
	new	\$100.00
	used	\$50.00

(Ord. No. 432, Sec. 6)

4.24.07 Fee schedule based on value of stock Every person engaged in the business of selling any kind of goods, wares or merchandise from a regularly established place of business maintained within the city shall pay an annual license fee based on the values of his average stock on hand. Such fee shall be as follows:

<u>Value of Average Stock</u>	<u>License Fee</u>
\$0.00 to 3,000.00	20.00 per annum
3,001.00 to 6,000.00	30.00 per annum
6,001.00 to 10,000.00	40.00 per annum
10,001.00 to 20,000.00	50.00 per annum
20,001.00 to 30,000.00	60.00 per annum
30,001.00 to 40,000.00	75.00 per annum
40,001.00 to 50,000.00	85.00 per annum
50,001.00 to 100,000.00	100.00 per annum
100,001.00 to 125,000.00	125.00 per annum
125,001.00 to 150,000.00	150.00 per annum
150,001.00 to 175,000.00	175.00 per annum
175,001.00 to 200,000.00	200.00 per annum

(Ord. No. 432, Sec. 7.)

4.24.08 Amount of fee when not classified by ordinance Any person, firm or corporation engaged in any business, trade, occupation, vocation or profession that does not come within any of the foregoing classifications shall pay an annual license fee of Twenty Five Dollars (\$25.00) annually until the particular occupation can be classified by proper ordinance.

(Ord. No. 432, Sec. 8)

4.24.09 Amount of fee in case of multiple classification Any person operating or engaging in a business that can be classified under more than one activity specified in this ordinance shall pay the largest license fee applicable to him and the same shall be collected by the City Collector. (Ord. No. 432, Sec. 9)

4.24.10 Posting Each license procured under the provisions of this ordinance shall be posted in a permanent place where the business covered thereby is carried on, and the holder thereof shall immediately show such license to any officer of the city upon being requested to do so. (Ord. No. 432, Sec. 10)

4.24.11 Postage and handling There shall be added to the total amount of fee due from each licensee the sum of Fifty Cents (\$0.50) for the purpose of postage and handling.

4.24.12 Mailing of statement The City Collector shall mail or cause to be mailed a statement to each person, firm or corporation engaging in a business activity within the city of Wynne and subject to paying a privilege fee as provided herein such statement shall set forth the amount of fee due plus the charge for postage and handling. Such statement shall also advise of the due date for payment and that failure to pay the fee will result in a ten percent (10%) penalty being added. Such statement shall also advise of the criminal penalties prescribed in this Ordinance 432 at Section 2. (Ord. No. 454, Sec. 1)

4.24.13 Privilege licenses Ord. No. 432, which regulates occupational licenses and sets the fees therefore, shall be amended to include and provide for privilege licenses.

The fees for the individual privilege licenses shall be the same as for the corresponding occupational licenses. (Ord. No. 432, Amended, Secs. 2-3.)