

## **ORDINANCE NO. 812**

AN ORDINANCE AMENDING ORDINANCE 432 FOR THE REGULATION OF OCCUPATIONAL LICENSES IN THE CITY OF WYNNE, ARKANSAS; ESTABLISHING CERTAIN LICENSES; FIXING TIME FOR PAYMENT AND PROVIDING PENALTY FOR VIOLATION; FOR THE PURPOSE OF RAISING REVENUE TO DEFRAY THE EXPENSES OF POLICE FORCE. FIRE PROTECTION AND GENERAL REVENUE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYNNE, ARKANSAS:

### **SECTION 1: 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.

### **SECTION 2: 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 be the first day of July of each year and 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 here in 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. The Penalty will be assessed at 10% of the fee each day up to double the amount of the license.

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 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.

### **SECTION 3: 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.

### **SECTION 4: 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.

### **SECTION 5: 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 license under the 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.

**SECTION 6: 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.	Beauty Salon/Barber Shop/Massage Therapist/Dog Groomer.....	\$50.00
2.	Carnivals/Circus.....	\$250.00 1 <sup>st</sup> day, \$50.00 each day after
3.	Convenience Store.....	..\$250.00
4.	Dance Studio.....	..\$50.00
5.	Daycare/Nursery.....	..\$50.00
6.	Dealerships (car, tractor, implement, equipment, etc.).....	New.....\$150.00 Used..... \$75.00 Must buy both license if selling both new and used
7.	Distributors.....	..\$75.00
8.	Feed Store/Livestock.....	..\$50.00
9.	Fish Dealer.....	..\$50.00
10.	Flea Market Indoors.....	..\$50.00
11.	Financial Institutions (banks, credit bureaus, credit union, financial manager, financial lending, etc.).....	..\$250.00
12.	Funeral Homes/Monuments/Morticians.....	..\$150.00
13.	Granaries.....	..\$100.00
14.	Hotels/Motels.....	..\$100.00
15.	Ice Dealer/Distributor/Manufacture.....	..\$100.00
16.	Industrial with 49 or less employees.....	..\$150.00
	with 50 or more employees.....	..\$200.00
17.	Insurance Agent.....	..\$50.00
18.	Laundromats/Dry Cleaners.....	..\$50.00
19.	Liquor Store.....	..\$250.00
20.	Mini-Storage with 99 units and under.....	..\$150.00
	With 100 units and over.....	..\$200.00
21.	Media/Newspapers/Radio Stations.....	..\$50.00
22.	Medical Services (Doctors, Chiropractors, Optometrist, Pharmacists, Dentists, Home Health, Psychiatric/Counseling services, Ambulance, Physical Therapists) per licensed professional or ambulance.....	..\$100.00
23.	Night Club/Bar.....	..\$250.00
24.	Photographer.....	..\$50.00
25.	Professional Services (Accountants, Attorneys, Architect, Advertising Agent).....	..\$75.00
26.	Real Estate (Agents, Appraiser, Mortgage Broker, Abstractor) per agent.....	..\$50.00
27.	Recreational (Bowling Alley, Skating Rink, Movie Theater, Gym, Pool Tables, Archery).....	..\$75.00
28.	Restaurant.....	..\$75.00
	With alcohol.....	..\$150.00

		Food Truck/Trailer.....	\$50.00
29.	Retail (Stand Alone, Combined with other business, Home based, internet, nursery/landscape) Based on Inventory Values:		
		\$0 - \$5000.....	\$50.00
		\$5001 - \$10,000.....	\$75.00
		\$10,001 - \$20,000.....	\$100.00
		\$20,001 - \$35,000.....	\$150.00
		\$35,001 - \$50,000.....	\$200.00
		\$50,000 - and up.....	\$250.00
30.	Rental Properties	10 or less.....	\$50.00
		11 - 20.....	\$125.00
		21 - 30.....	\$175.00
		31 - 50.....	\$250.00
		51 and up.....	\$300.00
31.	Salvage Yard/Junk Yard.....		\$200.00
32.	Self Service Carwash.....		\$50.00
33.	Service Business (examples: Heat/air services, pest control, auto repair, computer repair, butane service, Printing, concrete, machine shop, tire shop.....		\$75.00
34.	Tattoo Parlor.....		\$100.00
35.	Taxi/Uber/etc.....		\$100.00
36.	Welding Shop.....		\$75.00

**SECTION 7: AMOUNT OF FEE WHEN NOT CLASSIFIED BY ORDINANCE.**

Any person or firm or corporation engaged in any business, occupation, vocation or profession that does not come within any of the foregoing classifications shall pay an annual license fee of \$50.00 annually until the particular occupation can be classified by proper ordinance.

**SECTION 8: 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 the Ordinance shall pay the largest license fee applicable to him, and the same shall be collected by the City Collector.

**SECTION 9: POSTING**

Each license procured under the provisions of this Ordinance shall be posted in a permanent place where the business covered hereby is carried on, and the holder thereof shall immediately show such license to any officer of the city upon being requested to do so.

**SECTION 10:** That all ordinances and parts of ordinances therefore enacted which are in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 11:** The immediate passage of this Ordinance is necessary for the health, safety, and welfare of the citizens of Wynne; THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in and for the City of Wynne, Arkansas this 12<sup>th</sup> day of March, 2019.

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Jennifer Hobbs, Mayor

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ATTEST: Kevin Watts, City Clerk