

ORDINANCE NO. 233

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME
REPEALING THE CURRENT ARTICLE 3 OF CHAPTER 8 OF THE TOWN CODE
AND ADOPTING A NEW ARTICLE 3 OF CHAPTER 8
ENTITLED BUSINESS LICENSE FEES

WHEREAS, the Mayor and Council believe revision of the Town's Business License Ordinance will provide equity and promote compliance with the provisions of the Ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF JEROME AS FOLLOWS:

Section 1 - Article 3 of Chapter 8 of the Jerome Town Code is repealed in its entirety,

Section 2 - A new Article 3 of Chapter 8 of the Jerome Town Code as set forth on the attached Exhibit A is adopted in its entirety,

Section 3 - Upon adoption the Town Clerk is instructed to insert the new Article 3 with the Town's Records and Code Book.

PASSED AND ADOPTED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR OF JEROME, ARIZONA THIS *9th* DAY OF *January*, 19*90*.



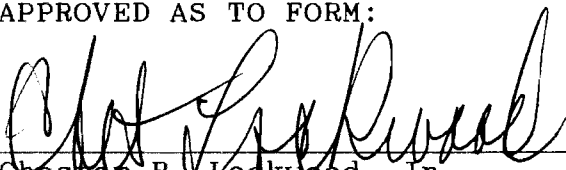
Francesca Segretti, Mayor

ATTEST:



Betsy Lloyd, Town Clerk

APPROVED AS TO FORM:



Chester R. Lockwood, Jr.
Town Attorney

Article 8-3 BUSINESS LICENSE FEE

- 8-3-1 License Required, Definitions
- 8-3-2 Issuance of License
- 8-3-3 Payment Procedure
- 8-3-4 Posting of License
- 8-3-5 License Not Transferable
- 8-3-6 Business License Fees
- 8-3-7 Nonprofit, Charitable, Governmental
and Other Exemptions

Section 8-3-1 License Required; Definitions

It is unlawful for any person to carry on, within the Town limits, any trade, calling, profession, occupation or business, specified in this article without having procured a license from the Town of Jerome and complying with any and all regulations of such trade, calling, profession, business or occupation specified in this article.

For purposes of this article, any trade, calling, profession, occupation or business means "any activity which is performed for profit whether in cash payment or trade in equivalent value". "Person" shall include persons, partnership, association, company or corporation.

Section 8-3-2 Issuance of License

A. It is the responsibility of any person conducting business to apply/reapply for the required license. It shall be the duty of the Town Clerk to prepare and to issue a license under this article for every person liable to pay a license hereunder, and to state in each license the amount thereof, the period of time covered, the name of the person, firm, or corporation for whom issued, the trade, calling, profession, occupation, or business licensed, and the location or place of business where said trade, calling, profession, occupation or business is carried on.

B. In no case shall any mistake of the Clerk in stating the amount of a license prevent or prejudice the collection for the Town of what shall be actually due from anyone carrying on a trade, calling, profession, occupation or business, subject to license under this article. It shall be the obligation of the applicant to provide satisfactory proof to the clerk as to which license fee shall be charged.

Section 8-3-3 Payment Procedure

A. All business license fees shall be paid at the office of the Clerk or in such manner as may be specified by the Clerk.

B. A separate license must be obtained for each occupation or branch establishment or separate place of business in which any trade, calling, profession, occupation or business is carried on. Each license shall authorize the person obtaining such license to carry on, pursue or conduct, only that trade, calling, profession, occupation or business described in such license and only at the location or place of business which is indicated.

C. Every person engaged in more than one business in the same location for which license fees are hereinafter provided shall obtain a license for each business.

Section 8-3-4 Posting of License

Every person having a license under the provisions of this article, and carrying on a trade, calling, profession, occupation or business at a fixed place of business shall keep such license posted and exhibited, while in force, in some conspicuous part of the place of business. Every person having such a license, and not having a fixed place of business shall carry such license with him at all times while carrying on this trade, calling, profession, occupation or business for which the same was granted. Every person, firm, company or corporation having a license under the provisions of this article shall produce and exhibit the same, when applying for a renewal thereof, and whenever requested to do so by any police officer or by any other officer authorized to issue, inspect or collect licenses.

Section 8-3-5 License Not Transferable

No license granted or issued under the provisions of this article shall be in any manner assignable or transferable to any other person, firm, company or corporation, without permission from the Council.

Section 8-3-6 Business License Fees

All businesses, occupations, professions, trades or callings shall pay a license tax as set forth in the following schedule annually, unless otherwise specified herein.

- A. All persons generating more than TEN THOUSAND AND ONE DOLLARS (\$10,001) gross income in cash, trade, or barter in a calendar year : FIFTY DOLLARS (\$50) PER YEAR
- B. All persons generating more than TWO THOUSAND FIVE HUNDRED AND ONE DOLLARS (\$2,501) through TEN THOUSAND AND ONE DOLLARS (\$10,001) gross income in cash, trade, or barter in a calendar year:
TWENTY DOLLARS (\$20) PER YEAR
- C. All persons generating more than \$00.00 to TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) gross income in cash trade, or barter in a calendar year: EXEMPT FROM LICENSING
- D. Carnival, Circuses: ONE HUNDRED DOLLARS (\$100) PER DAY
- E. Retail Liquor Licenses: FIFTY DOLLARS (\$50) PER YEAR
- F. Theaters, road shows and all other theatrical, athletic or musical performances, lectures, entertainment or exhibitions whether given in theater, tent or open air; and any other temporary business not listed hereunder requiring a day-to-day license: FIVE DOLLARS (\$5) PER DAY
- G. Street artists producing original art on site: TEN DOLLARS (\$10) PER MONTH

Section 8-3-7 Nonprofit, Charitable, Governmental and Other Exemptions

- A. In the event any circus, carnival, ride, theatrical production, tent show, dog or pony show or similar production is sponsored by any local nonprofit, charitable or religious organization, the fees specified in Section 8-3-6 of this article may be waived by the Council upon such terms as it may deem advisable.
- B. Nonprofit or charitable organizations operated for the public benefit only shall be exempt from the provisions of this article upon sufficient proof to the Town Clerk.

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C. The provisions of this article do not apply to Governmental Agencies and their regular employees. However, this exemption does not apply to persons independently contracting with the Town on specific projects.

D. Any person selling any form of Agricultural product produced by himself within the Town shall be exempt from paying any license tax hereunder for the privilege of selling such products only. Before receiving the exemption an affidavit of the facts entitling the seller to an exemption must be filed and approved by the Clerk.