

AN ORDINANCE REQUIRING LICENSES FOR THE PRIVILEGE OF CARRYING ON TRADES, BUSINESSES, OCCUPATIONS, VOCATIONS, CALLINGS AND PROFESSION WITHIN THE CITY OF GOSNELL, ARKANSAS, PRESCRIBING THE MANNER OF FIXING THE CHARGES THEREFOR, FIXING THE TIME WHEN SUCH LICENSES SHALL BE PAID, THE PENALTY FOR NON-PAYMENT, AND FOR OTHER PURPOSES.

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

SECTION 1: The conducting and carrying on of all trades, businesses, occupations, vocations, callings and professions, except those specifically exempted by the laws of the State of Arkansas, and also excepting public utilities otherwise taxed by the City, within the boundaries of the City of Gosnell, is hereby declared to be a privilege, and each and every person, firm or corporation conducting or engaging in any such trade, business, occupation, vocation, calling or profession, shall apply for and pay for a license therefor in the amounts and procedural requirements as set out. The term of such license shall be for one (1) year.

SECTION 2: It shall be unlawful for any person in the City to engage in, exercise, or pursue any line of business without first having obtained and paid for a city license therefor from the City Recorder/Treasurer. However, any person, firm or corporation whose primary business location is outside the city limits, maintains no permanent business in Gosnell, and who pays occupational license in another city, is exempt from this license.

SECTION 3: The fee shall be due and payable within fifteen (15) days of the day on which the person, firm or corporation is open for business. Each succeeding yearly fee shall be due and payable upon the 15th day of January. Provided, that the licensee has the option of making payments in two (2) equal installments on January 15th and July 15th, respectively, of each year.

SECTION 4: Upon the failure of any business to pay this fee within thirty (30) days of the due date, a penalty of 30% of the amount due shall be imposed upon that business.

SECTION 5: The City Council may revoke the privilege of any person, firm or corporation of doing business in the City of Gosnell when such person, firm or corporation fails to pay the fee for this subject license for any business, and the penalty described above, within 60 days of the day the fee is due.

SECTION 6: Any person engaged in two or more trades, callings, vocations, businesses or professions enumerated in this Ordinance shall be required to take a license for each separate trade, business, vocation or profession. The Recorder or party issuing the license shall have the authority to determine if two or more trades, callings, vocations, businesses or professions are being undertaken.

SECTION 7: The license fee provided for in this Ordinance, when paid for any period provided herein, shall not be returnable in case the licensee, for any reason, surrenders his license or discontinues his business, and any sum so paid shall not be returnable to any person.

SECTION 8: No license issued under the provisions of this Ordinance shall be transferred from one person to another or from one business to another without authorization from the City Council.

SECTION 9: 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.

SECTION 10: The rate for the fee for the subject license shall be \$25.00, plus \$5.00 per employee, part time employees not included, with the maximum rate for each business being \$50.00, except for those businesses listed in later Sections of this Ordinance.

SECTION 11: Since it is recognized that there is a great deal of renting of houses, duplexes, apartments, trailers and trailer spaces within the City of Gosnell, any person, firm or corporation having three or more such rental units shall be deemed to be conducting a business within the City of Gosnell and the license shall be as follows:

- (a) \$25.00 plus \$1.00 for each additional rental unit over three with a maximum license of \$50.00. Each trailer space shall be considered a rental unit whether it be occupied or unoccupied.
- (b) \$25.00 for each motel plus \$1.00 for each room therein.

SECTION 12: Any person, firm or corporation doing business within the limits of the City of Gosnell without having paid the prescribed fee in the manner required or without having a license to do business in the City of Gosnell shall be deemed in violation of this Ordinance and guilty of a misdemeanor. Such violation of this Ordinance is punishable by a fine or not less than Five and No/100 Dollars (\$5.00) nor more than Five Hundred and No/100 Dollars (\$500.00). If the violation is continuous, the daily fine shall be not more than Two Hundred Fifty and No/100 Dollars (\$250.00) per day for each day of violation.

SECTION 13: Should any word, section or part of a section of this Ordinance be for any reason held unconstitutional, void or invalid, it shall not affect the validity of any other word, section or part of a section hereof which is itself not void or invalid.

SECTION 14: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 15: WHEREAS it is found that the City of Gosnell, Arkansas is in dire need of funds with which to carry on the functions of city government and to furnish police protection to the inhabitants of the city so that an emergency exists and is declared, this Ordinance, being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage.

PASSED this 11th day of January, 1977.

*Orady S. Beull*

MAYOR

*Janice Gray*

RECORDER