

ORDINANCE NO. 2070

AN ORDINANCE AMENDING CHAPTER 4.36 OF THE MUNICIPAL CODE PERTAINING TO OCCUPATIONAL LICENSES

FOR THE CITY OF EUREKA SPRINGS, ARKANSAS:

WHEREAS, the City Council of Eureka Springs, Arkansas has determined that it is necessary to clarify the procedures by which occupational licenses are issued; and

WHEREAS, the City Council has determined further that it is necessary that this clarification be enacted prior to January 1, 2008.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Eureka Springs that Section 4.36.01(A) of Chapter 4.36 be amended in its entirety as follows:

Section 1. 4.36.01 License Required

A(1). The carrying on of any of the trades, businesses, occupations, professions or vocations named in this chapter within the corporate limits of the city of Eureka Springs by any person, firm, partnership, company or corporation is a privilege subject to an annual occupational license.

(2) The annual occupational license shall be paid on the basis of the calendar year of January 1 through December 31, and all such licenses shall be payable on January 1 for the ensuing year.

(3) If the occupational license provided for in this chapter is not paid within thirty (30) days after such becomes due, it is hereby declared as delinquent and a penalty of ten (10) percent will be added to the total outstanding balance. In the event the license is not paid within sixty (60) days, an additional ten (10) percent penalty will be added to the total outstanding balance; and, in addition, the person, firm, partnership, company or corporation who has failed to pay their license fee shall be guilty of a misdemeanor and shall be fined in the sum of Two Hundred Fifty Dollars (\$250.00) and each day of such offense shall constitute a separate offense.

(4) Businesses beginning on other than the first day of the calendar year but before September 1 shall pay the entire fee prior to engaging in any trades, businesses, occupations, professions or vocations for which an occupational license is required under this chapter. Businesses beginning after August 31 through November 30 will be prorated on a monthly basis. In no event, however, shall any person, firm, partnership, company or corporation engage in any of the trades, businesses, occupations, professions or vocations for which an occupational license is required under this chapter without first procuring such license or licenses.

Section 2. All Ordinances or Resolutions, and parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict. In the event any one or more of the provision contained in this Ordinance shall for any reason be held by a Court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

Section 3. EMERGENCY CLAUSE

PASSED AND APPROVED, this _____ day of _____, 2007

APPROVED:

Dani D. Joy, Mayor

ATTEST:

Mary Jean Sell, City Clerk