

ORDINANCE NO. 324-A

**AN ORDINANCE TO AMEND TITLE 4. CHAPTER 4.24
OCCUPATIONAL LICENSES, OF THE GREENLAND
MUNICIPAL CODE**

WHEREAS, the City of Greenland's current municipal code contains a discrepancy on the length of business licenses between biennial and annual.

WHEREAS, the municipal code defines business licenses as a tax, not a fee.

WHEREAS, the Planning Commission has recommended pursuant to A.C.A. § 14-55-704 that the municipal code be amended to avoid conflicts.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS, that:

Section 1: Greenland Municipal Code Title 4, Chapter 4.24, Section 4.24.01 is hereby deleted in it's entirety and replaced with the following:

"4.24.01 Occupational License Required

The carrying on of any trade, business, vocation, occupation, profession or calling of whatever kind or nature within the city of Greenland is hereby declared to be a privilege and from and after the effective date of this ordinance, any individual, partnership, association, LLC, corporation or other legal entity engaged in such activity shall pay an annual occupation fee for this privilege. (Ord. No. 101, Sec. 1/Ord. No. 324-A)"

Section 2: Greenland Municipal Code Title 4, Chapter 4.24, Section 4.24.02 is hereby deleted in it's entirety and replaced with the following:

"4.24.02 Separate License for Each Trade or Business

Any individual, partnership, association, LLC, corporation or other legal entity engaging in more than one (1) business, occupation or profession for which a license is required shall pay for and take out a license for each business, profession or occupation in same or separate quarters. Licenses shall be issued for a period of up to one (1) year from the date of issue (see Section 4.24.09). Persons affected hereby shall renew their licenses during the month preceding the expiration date of their current license. Charitable, garage, yard or firewood sales shall not be considered occupations under this ordinance nor shall the sale of produce raised within the city limits of the city of Greenland be so considered. (Ord. No. 101, Sec. 2/Ord. No. 324-A)"

Section 3: Greenland Municipal Code Title 4, Chapter 4.24, Section 4.24.05 is hereby deleted in it's entirety and replaced with the following:

"4.24.05 Collection

The Recorder/Treasurer of the city of Greenland, Arkansas, or such other duly authorized person shall collect the fee and upon receipt thereof, shall issue a license under this ordinance for every individual, partnership, association, LLC, corporation or other legal entity liable to pay such fee and each license issued shall state the amount paid, and the period of time covered thereby, the name of the individual, partnership, association, LLC, corporation or other legal entity and the business occupation or profession to be carried on. No error in stating or computing the amount of a license and fee due shall prevent or prejudice the licensing and collection process by the City of the fee which shall actually be due under this ordinance. (Ord. No. 101, Sec. 5/Ord. No. 324-A)"

Section 4: Greenland Municipal Code title 4, Chapter 4.24, Section 4.24.07 is hereby deleted in its entirety and replaced with the following:

"4.24.07 Procurement of License All licenses shall be procured before any business, occupation or profession begins operation and shall be obtained from Office of the Recorder-Treasurer. If it shall be necessary for the Recorder-Treasurer or deputy to go to the business to collect, a Fifteen Dollar (\$15.00) additional fee will be imposed. (Ord. No. 101 Sec. 7/Ord. No. 324-A)"

Section 5: Greenland Municipal Code Title 4, Chapter 4.24, Section 4.24.08 is hereby deleted in its entirety and replaced with the following:

"4.24.08 False Statements or Failure to Furnish Information It shall be unlawful for any individual, partnership, association, LLC, corporation or other legal entity knowingly and willfully to make a false written or verbal statement in applying for a license under this chapter for the purpose of defrauding the City, by which statement a license is procured for a less sum than it is lawfully due hereunder. It shall likewise be unlawful for any person to fail or refuse to furnish the Recorder-Treasurer with all required information necessary to issue the license in accordance with the provisions of this Ordinance. (Ord. No. 101, Sec. 8/Ord. No. 324-A)"

Section 6: Greenland Municipal Code Title 4, Chapter 4.24, Section 4.24.11 is hereby deleted in its entirety and replaced with the following:

"4.24.11 Penalty Any individual, partnership, association, LLC, corporation or other legal entity engaged in any trade, business, vocation, occupation, profession or calling of whatever kind or nature within the City of Greenland, without procuring the required license shall be guilty of a violation of this Ordinance and upon conviction thereof in the District Court of Washington County, Greenland Department, shall be fined in the sum of Twenty-Five Dollars (\$25.00) plus court costs and each and every day of such offense shall constitute a separate offense. (Ord. No. 101, Sec. 11/Ord. No. 324-A)"

Section 7: Greenland Municipal Code Title 4, Chapter 4.24, Section 4.24.09 is hereby deleted in it's entirety and replaced with the following:

"4.24.09 Schedule of License Fees Each individual, partnership, association, LLC, corporation or other legal entity engaged in any business, occupation or profession within the city limits of the City of Greenland shall pay Twenty-Five Dollars (\$25.00) for an annual license (or any portion of a year). The initial business license shall cover the period between the opening of the business and the following December 31. Thereafter, all licenses shall be renewed for the period January 1 through the following December 31. The fee shall not be prorated for businesses opening after January 1, or closing prior to December 31 in any year. (Ord. No. 269, Sec. 1/Ord. No. 324-A)"

Section 8: In all other respects, Title 4, Chapter 4.24 is not amended or modified and is hereby ratified and confirmed.

PASSED AND APPROVED this 17th day of September, 2017.



BILL GROOM, Mayor

ATTEST:



STEPHANIE SHARP, Recorder-Treasurer