ORDINANCE NO. 2008-07

AN ORDINANCE PRESCRIBING AND FIXING LICENSES FOR THE CARRYING ON OF CERTAIN TRADES, BUSINESSES, OCCUPATIONS, CALLINGS, VOCATIONS, AND PROFESSIONS IN THE CITY OF MULBERRY, ARKANAS, PRESCRIBING THE AMOUNT THEREFOR, FIXING THE TIME WHEN SUCH LICENSES SHALL BE PAID, THE PENALTY FOR NON-PAYMENT, AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated Section 26-77-102 provides that the city shall have the power to enact an ordinance requiring any person, firm, individual, or corporation who shall engage in, carry on, or follow any trade, business, profession, vocation, or calling within the corporate limits of the city to pay a license fee.

WHEREAS, certain terms, definitions, requirements and fees set forth in the present BUSINESS LICENSE ORDINANCE NO. 113, approved June 1, 1954, need to be clarified and adjusted; and

WHEREAS, the adoption of the taxing provisions provided for in this Ordinance are essential to the health, welfare, maintenance and well being of the City of Mulberry and its inhabitants.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

AMENDED BY #2013-04 3-19-13

SECTION 1: The period covered by any license paid shall be for one year, unless otherwise provided in this Ordinance, and all licenses shall be paid annually in advance, unless otherwise provided herein, upon July 1st of each year.

SECTION 2. That the following be and is hereby declared to be the schedule of licenses required for each business, profession or occupation:

$20.00 per year for each business, profession or occupation engaging in said business, profession or occupation in the City of Mulberry, Arkansas.

$ 5.00 per day for each business, profession or occupation engaging in said business, profession or occupation in the City of Mulberry, Arkansas, on a temporary day-to-day basis, with a maximum annual charge of $50.00.

SECTION 3. It shall be unlawful for any person, firm or corporation, whether as principal or agent, to commence, engage in, or carry on any business, profession or occupation in the City of Mulberry without having first procured a license from the City to do so, and shall constitute a separate violation of this ordinance for each and every day said business is carried on.

SECTION 4. Any person, firm, corporation or individual violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than double the amount of said license due. The City Court of the City of Mulberry shall have full power and authority to fix a penalty or fine for the violation of any of the provisions of this ordinance.

SECTION 5. It shall be the duty of the City Clerk or her deputies to prepare and issue a license under this ordinance for every business, profession or occupation liable to pay a license hereunder, and to state in each the amount thereof, the period of time covered thereby, the location or place where the business, profession or occupation is carried on, and the name of the person, firm or corporation to whom issued. There will be no exception for more than one business, occupation or profession operated on the same premises.

SECTION 6. All licenses shall be due on July 1st of each year. One-half year license may be purchased after January 1st if a business is started at that time.

SECTION 7. Each license shall be posted in a conspicuous place where the business, profession or occupation is carried on, and the holder of such license shall immediately show such license to the license inspector or City Clerk, Recorder, or Police Chief upon request.

SECTION 8. Should any section or provision of this ordinance be for any reason held void or invalid, it shall not effect the validity of any other section or provision hereof.

SECTION 9. This ordinance shall be full force and effect as of Nov. 1 2008.

PASSED AND APPROVED THIS 16th Day of September, 2008.

APPROVED: Betty Feller
Betty Feller, Mayor

ATTEST: Jerry Dick
Jerry Dickerson, Recorder-Treasurer