

ORDINANCE NO 2006-06-261

**AN ORDINANCE AMENDING ORDINACE NO. 141-A, THE SAME BEING THE
ORDINANCE LICENSING BUSINESSES AND SETTING FEES THEREFOR;
DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.**

WHEREAS, the City Council of Tontitown, Arkansas deems it necessary from time to time, to adjust certain standards and insure adequate fire protection, and to insure the safety of the City water system for it's growing population and for the purposes of providing the health, safety, and general welfare of the citizens of Tontitown, Arkansas; and

WHEREAS, the Tontitown City Council has prepared an ordinance which provides for the procedure and regulation for the licensing of businesses within the city limits, in order to identify the location of all commercial operations, any potential fire hazards, or the potential contamination of the water supply that may be associated with businesses.

WHEREAS, the Tontitown City Council has prepared an Ordinance amending Ordinance No. 141-A, the same being the Ordinance licensing businesses and setting fees therefore.

NOW THEREFORE, BE IT ORDAINED by the City Council of Tontitown, Arkansas, That:

Section 1: Ordinance No. 141-A of the City of Tontitown, being an Ordinance Licensing Business and Setting Fees Therefore and for other purposes is amended as herein set forth.

Section II: Section XIII is hereby amended and read as follows:

The licensing fees as provided in this section shall be paid by the person or persons engaging in any business, occupation or profession inside the corporate limits of the city.

(1) Manufacturing, sales, professional services, transportation, and any other business, except for the types of businesses listed below, shall be charged a fee of \$50.00 per business and \$5.00 for each employee or owner working 25 hours or more per week.

a. If an agency or broker allows salespersons to sell under the agency's auspices with office space, but does not consider them to be employees, the agency shall collect the appropriate licensing fee from the salespersons and remit it at the same time they remit the licensing fee due from the agency.

b. Accountants, advertising agencies, architects, attorneys, banks, savings and loan associations, bail bonding firms, engineers, funeral directors or undertakers, medical profession (all members), insurance agents/brokers, stock and/or investment brokers, pharmacists, real estate brokers and agencies: \$75.00, plus \$10.00 for each employee working a minimum of 25 hours per week.

(2) Food and lodging:

a. Restaurants, cafes, diners, cafeterias, delicatessens or any place where food is prepared and served to the public:

1. Minimum . . . \$50.00
2. 10--25 seats . . . 75.00
3. 26--75 seats . . . 100.00
4. Over 75 seats . . . 150.00

b. Motels, hotels, boardinghouses, rooming houses, mobile home parks and apartments:

1. 1--6 units . . . \$50.00
2. Plus each additional unit thereafter . . . 5.00
3. Catalogue houses whose principal sales are by fulfillment of orders from out-of-town warehouses . . . \$300.00
4. Self-service storage units:
 - (i) 1--6 units . . . \$50.00
 - (ii) Plus each additional unit thereafter . . . \$1.00


(3) The number of employees upon which the charge shall be based shall be the average number employed by the applicant. The fee shall be prorated at the rate of 1/12 of the annual fee per month for the months remaining in the current year of the initial fee. It shall be the duty of the Code Enforcement Officer to determine the number of employees upon which to base said fee and the Code Enforcement Officer shall require of all applicants an affidavit stating the number of employees upon which such a fee shall be paid. In addition, the Code Enforcement Officer may require other proof in order to correctly determine the number of employees upon which the license fee shall be based.

Section III: All provisions of said Ordinance No. 141-A not hereby amended shall remain in full force and effect.

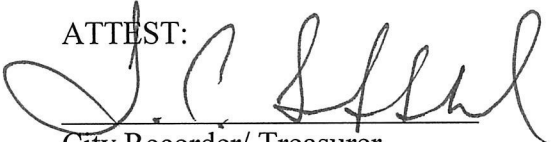
Section IV: Emergency Clause: It is hereby declared that an emergency exists, in that, an effective plan is needed for the regulation of the licensing of businesses within the City of Tontitown corporate limits is necessary, in order to identify the location of all commercial operation, any potential fire hazards, or the potential contamination of the water supply that may be associated with businesses and this Ordinance, being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be effective from and after its passage and approval.

PASS AND APPROVED THIS 15th DAY OF June 2006.

APPROVED:


Mayor

ATTEST:


City Recorder/ Treasurer

Sponsored by:



ROLL CALL:

Shall the Ordinance pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	<u> </u>	(Ward 2, Position 2)
Alderman Arthur Penzo	<u>✓</u>	<u> </u>	(Ward 2, Position 1)
Alderman Henry Piazza	<u>✓</u>	<u> </u>	(Ward 1, Position 2)
Alderman Bradley Marveggio	<u>✓</u>	<u> </u>	(Ward 1, Position 1)
Alderman Ken Robertson	<u>✓</u>	<u> </u>	(Ward 3, Position 2)
Alderman Steve Smith	<u> </u>	<u> </u>	(Ward 3, Position 1)
Mayor Paul Macatui			

Yeas: 5 Nays: 0 (total)

ROLL CALL:

Shall the Emergency Clause pass:

	YEA	NAY	
Alderman Andrew Penzo	<u>✓</u>	<u> </u>	(Ward 2, Position 2)
Alderman Arthur Penzo	<u>✓</u>	<u> </u>	(Ward 2, Position 1)
Alderman Henry Piazza	<u>✓</u>	<u> </u>	(Ward 1, Position 2)
Alderman Bradley Marveggio	<u>✓</u>	<u> </u>	(Ward 1, Position 1)
Alderman Ken Robertson	<u>✓</u>	<u> </u>	(Ward 3, Position 2)
Alderman Steve Smith	<u> </u>	<u> </u>	(Ward 3, Position 1)
Mayor			

Yeas: 5 Nays: 0 (total)