

ORDINANCE NUMBER: 1989-1

AN ORDINANCE OF MAYOR AND COUNCIL OF THE CITY OF MCINTYRE, GEORGIA, PROVIDING FOR THE LICENSING OF BUSINESS(ES) WITHIN THE CITY OF MCINTYRE, GEORGIA.

PURSUANT TO THE AUTHORITY CONTAINED IN CHAPTER 1, SEC. 106 OF THE CHARTER OF THE CITY OF MCINTYRE, GEORGIA, THE MAYOR AND COUNCIL HAVE DETERMINED THAT IT IS NECESSARY, EXPEDIENT AND IN THE PUBLIC INTEREST TO REQUIRE ANY INDIVIDUAL OR CORPORATION WHO TRANSACTS BUSINESS IN THIS CITY OR WHO PRACTICES OR OFFERS TO PRACTICE ANY PROFESSION OR CALLING WITHIN THE CITY TO OBTAIN A LICENSE OR PERMIT FOR SUCH ACTIVITY FROM THE CITY AND PAY A REASONABLE FEE FOR SUCH LICENSE OR PERMIT.

THE CODE OF ORDINANCES OF THE CITY OF MCINTYRE, GEORGIA, 1979, IS HEREBY AMENDED BY ADDING A CHAPTER TO BE NUMBERED 32, WHICH SECTION READS AS FOLLOWS:

SECTION 32-101: LEVY AND SCOPE.

FOR THE CALENDAR YEAR 19____ AND EACH SUCCESSIVE CALENDAR YEAR THEREAFTER, EACH PERSON, PARTNERSHIP, OR CORPORATION CARRYING ON A BUSINESS, PROFESSION, OR OCCUPATION WITHIN THE CORPORATE LIMITS OF THIS MUNICIPALITY IS HEREBY REQUIRED TO APPLY FOR AND OBTAIN A BUSINESS LICENSE ISSUED BY THE CITY, AND A BUSINESS LICENSE FEE IS HEREBY SET AND LEVIED, SUCH FEE TO BE DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

SECTION 32-102: DEFINITIONS.

THE FOLLOWING WORDS, TERMS, AND PHRASES, WHEN USED IN THIS SECTION, SHALL HAVE THE MEANING RESPECTIVELY ASCRIBED TO THEM BELOW, EXCEPT WHEN THE CONTEXT CLEARLY INDICATES A CONTRARY MEANING:

- A. PERSON. ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, FIRM ASSOCIATION, JOINT VENTURE, OR OTHER GROUP OR COMBINATION ACTING AS A UNIT, AND SHALL INCLUDE THE PLURAL AS WELL AS THE SINGULAR NUMBER.
- B. BUSINESS. ANY PERSON WHO, WITHIN THE CORPORATE LIMITS OF THE CITY OF MCINTYRE, GEORGIA, ENGAGES IN, CAUSES TO BE ENGAGED IN, AND/OR REPRESENTS HIMSELF TO BE ENGAGED IN, ANY OCCUPATION OR ACTIVITY WITH THE OBJECT OF GAIN, BENEFIT, OR ADVANTAGE, EITHER DIRECTLY OR INDIRECTLY, AND SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY PERSON ADVERTISING BY ANY MEANS, INCLUDING BUT NOT

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LIMITED TO SIGNS, CARDS, CIRCULARS, NEWSPAPERS, ETC., THAT HE IS ENGAGED IN A BUSINESS OF ANY KIND.

- C. ENGAGED IN BUSINESS OR CARRYING ON BUSINESS. DOING OR PERFORMING ANY ACT OF SELLING ANY GOODS OR SERVICES OR SOLICITING BUSINESS, OR OFFERING ANY GOODS OR SERVICES FOR SALE PRIMARILY FOR MONETARY GAIN, OR TO MAKE A PROFIT, EITHER AS AN OWNER, OPERATOR, OR AGENT OF ANY BUSINESS, TRADE, PROFESSION, OR OCCUPATION WITHIN THE CITY.
- D. TRANSIENT AND TEMPORARY BUSINESS. ALL PERSON, BOTH PRINCIPALS AND AGENTS, WHO ENGAGE IN OR CARRY ON IN THIS CITY AT ONE LOCATION, OR IN TRAVELING FROM PLACE TO PLACE, THE BUSINESS OF SELLING GOODS, WARES, SERVICES OR MERCHANDISE WITH THE INTENTION OF CONTINUING IN SUCH BUSINESS FOR A PERIOD OF NOT MORE THAN 180 DAYS.
- E. BUSINESS LICENSE FEE. THE FEE LEVIED BY THIS SECTION UPON ALL PERSONS ENGAGED IN A BUSINESS OR OCCUPATION WITHIN THE CORPORATE LIMITS OF THE CITY, SUCH FEE BEING DETERMINED BY MAYOR AND COUNCIL.

SECTION 32-103: LEVY.

- A. BUSINESS LICENSE FEE. THERE IS HEREBY SET AND LEVIED UPON EACH PERSON PRACTICING A PROFESSION AND UPON EACH PERSON, PARTNERSHIP, OR CORPORATION ENGAGED IN OR CARRYING ON A BUSINESS OR OCCUPATION WITHIN THE CORPORATE LIMITS OF THIS MUNICIPALITY AN ANNUAL BUSINESS LICENSE FEE OF FIFTY AND NO/100 (\$50.00) DOLLARS.
- B. DUTY TO REGISTER. EACH PERSON ENGAGED IN A PROFESSION AND EACH OWNER, PROPRIETOR, MANAGER, EXECUTIVE OFFICER, OR LEGAL REPRESENTATIVE OF EVERY BUSINESS OR OCCUPATION WITHIN THIS MUNICIPALITY UPON WHICH A BUSINESS LICENSE FEE IS LEVIED BY THIS SUBSECTION SHALL OBTAIN A BUSINESS LICENSE FROM THE CITY AND SHALL REGISTER SAID BUSINESS, OCCUPATION OR PROFESSION ON OR BEFORE THE 15TH DAY OF MARCH OF EACH CALENDAR YEAR, EXCEPT FOR NEW BUSINESSES WHICH COMMENCE OPERATIONS OR PRACTICE WITHIN THE CITY FOR THE FIRST TIME, IN WHICH CASE THE DATE OF APPLICATION FOR A BUSINESS LICENSE AND REGISTRATION SHALL BE ON OR BEFORE THE DATE OF COMMENCING BUSINESS, OPERATIONS OR PRACTICE.
- C. DUE DATES. ALL BUSINESS LICENSE FEES SET AND LEVIED BY THIS SECTION SHALL BE DUE AND PAYABLE AS OF THE FIRST (1ST) DAY OF JANUARY OF EACH CALENDAR YEAR, AND SHALL BE DELINQUENT IF NOT PAID BY MARCH 15TH OF EACH YEAR, OR AS OTHERWISE PROVIDED

HEREIN. ANY PERSON PRACTICING A PROFESSION AND EACH PERSON, PARTNERSHIP, OR CORPORATION ENGAGED IN OR CARRYING ON A BUSINESS OR OCCUPATION, WHICH COMMENCES BUSINESS, OPERATIONS OR PRACTICE AFTER THE 15TH DAY OF MARCH IN ANY CALENDAR YEAR SHALL PAY THE APPLICABLE BUSINESS LICENSE FEE UPON APPLICATION FOR A BUSINESS LICENSE AND REGISTERING SAID BUSINESS WITH THE CITY.

- D. FAILURE TO REGISTER. ANY PERSON OR BUSINESS REQUIRED TO OBTAIN A LICENSE PURSUANT TO THIS ORDINANCE, WHO FAILS TO APPLY FOR AND PAY THE REQUIRED LICENSE FEE ON OR BEFORE THE DUE DATE STATED HEREIN SHALL BE SENT A NOTICE BY THE CITY CLERK, INFORMING SUCH PERSON OF THE REQUIREMENTS OF THIS ORDINANCE. THE CLERK SHALL, UPON SUCH INFORMATION AS MAY BE AVAILABLE TO THE CLERK, ALSO SEND A NOTICE THAT THE LICENSE FEE IS DUE AND PAYABLE AS PRESCRIBED HEREIN. UPON THE FAILURE TO RESPOND TO SUCH A NOTICE AND PAYMENT OF THE LICENSE FEE, SUCH PERSON OR BUSINESS SHALL BE SUBJECT TO THE PENALTIES AS PRESCRIBED IN SECTION 32-115 OF THIS ORDINANCE.

SECTION 32-104: APPLICATIONS.

EVERY PERSON REQUIRED TO PROCURE A LICENSE UNDER THE PROVISIONS OF THIS CHAPTER OR AN ORDINANCE OR LAW OF THIS MUNICIPALITY SHALL SUBMIT AN APPLICATION FOR SUCH LICENSE TO THE CITY CLERK, WHICH APPLICATION SHALL CONFORM TO THE REQUIREMENTS OF THIS SECTION.

- A. FORM OF APPLICATION. EACH APPLICATION SHALL BE A WRITTEN STATEMENT UPON FORMS PROVIDED BY THE CITY CLERK.
- B. CONTENTS OF APPLICATION. EACH APPLICATION SHALL CONTAIN THE FOLLOWING INFORMATION:
1. NAME AND HOME ADDRESS OF THE APPLICANT IF AN INDIVIDUAL, OR HOME OFFICE ADDRESS IF A CORPORATION OR PARTNERSHIP;
 2. PLACE WHERE THE PROPOSED BUSINESS IS TO BE LOCATED;
 3. KIND OF BUSINESS TO BE CARRIED ON;
 4. NAME AND HOME ADDRESSES OF THE PARTNERS, IF A PARTNERSHIP;

5. NAMES AND HOME ADDRESS OF THE OFFICERS AND DIRECTORS, IF A CORPORATION;
 6. SUCH ADDITIONAL INFORMATION WHICH THE CITY CLERK OR COUNCIL MAY FIND REASONABLY NECESSARY TO THE FAIR ADMINISTRATION OF THIS CHAPTER.
- C. VERIFICATION. EACH APPLICATION SHALL BE SWORN TO BY THE APPLICANT IF AN INDIVIDUAL, OR BY A PARTNER IF A PARTNERSHIP, OR BY AN OFFICER IF A CORPORATION.
- D. PAYMENT OF FEE. EACH APPLICATION SHALL BE ACCOMPANIED BY THE AMOUNT OF THE BUSINESS LICENSE FEE.
1. ISSUANCE OF RECEIPTS. THE CITY CLERK SHALL ISSUE A RECEIPT TO THE APPLICANT FOR THE AMOUNT OF THE FEE TENDERED WITH THE APPLICATION FOR A LICENSE, PROVIDED THAT SUCH RECEIPT SHALL NOT BE CONSTRUED AS APPROVAL OF THE APPLICATION, NOR SHALL IT ENTITLE OR AUTHORIZE THE APPLICANT TO OPEN OR MAINTAIN ANY BUSINESS CONTRARY TO THE PROVISIONS OF THIS CHAPTER.
 2. REBATE OF FEE.
- UPON THE DISAPPROVAL OF ANY APPLICATION FOR WHICH A FEE HAS BEEN SUBMITTED UNDER THE PROVISIONS OF THIS CHAPTER, THE CITY CLERK SHALL REFUND SUCH FEE, PROVIDED THAT THE APPLICANT IS NOT OTHERWISE INDEBTED TO THE CITY.
- E. FALSE STATEMENTS. FALSE STATEMENTS ON ANY APPLICATION FOR A LICENSE SHALL BE GROUNDS FOR IMMEDIATE REVOCATION OF SUCH LICENSE.

SECTION 32-105: PROCEDURE FOR ISSUANCE.

- A. REVIEW BY CITY OFFICERS. IF ANY PROVISION OF THIS CHAPTER OR ANY LICENSING ORDINANCE OF THE CITY PROVIDES FOR THE REVIEW OF AN APPLICATION FOR A LICENSE BY A CITY OFFICER DESIGNATED THEREIN, THE CITY CLERK SHALL FORWARD A COPY OF THE APPLICATION TO SUCH OFFICER WITHIN 48 HOURS OF THE TIME OF THE RECEIPT OF THE APPLICATION. THE OFFICER CHARGED WITH THE DUTY OF REVIEWING THE APPLICATION SHALL MAKE A RECOMMENDATION THEREON, FAVORABLE OR OTHERWISE, AND SHALL RETURN SUCH RECOMMENDATION TO THE CITY CLERK WITHIN SEVEN DAYS AFTER RECEIVING A COPY OF THE APPLICATION.

- B. COUNCIL CONSIDERATION. UPON THE RECEIPT OF THE RECOMMENDATION OF THE REVIEWING OFFICER AS HEREINABOVE PROVIDED, OR UPON THE RECEIPT OF THE APPLICATION IF NO REVIEWING OFFICER IS DESIGNATED, THE CITY CLERK SHALL FORWARD SUCH RECOMMENDATION AND/OR APPLICATION TO THE CITY COUNCIL FOR CONSIDERATION AND ACTION AT ITS NEXT REGULAR SCHEDULED PUBLIC MEETING.
- C. LIMITATION ON ISSUANCE. NO LICENSE SHALL BE ISSUED TO ANY APPLICANT WHOSE PLACE OF BUSINESS IS NOT IN FULL COMPLIANCE WITH ALL MINIMUM STANDARD BUILDING CODES ADOPTED BY THIS MUNICIPALITY.
- D. ISSUANCE OF LICENSE. UPON THE EXPRESS APPROVAL OF THE CITY COUNCIL, THE CITY CLERK SHALL ISSUE A BUSINESS LICENSE TO THE APPLICANT THEREFOR, WHICH LICENSE SHALL STATE THE NATURE OF THE BUSINESS AUTHORIZED AND BEAR THE DATE OF ISSUANCE AND THE SIGNATURES OF THE MAYOR AND CITY CLERK.
- E. COUNCIL DISCRETION. THE GRANTING OF A BUSINESS LICENSE UNDER THE PROVISIONS OF THIS CHAPTER SHALL BE DEEMED A PRIVILEGE ONLY, AND NOTHING HEREIN CONTAINED SHALL BE CONSTRUED AS GRANTING ANY PERSON WHOSE BUSINESS IS SUBJECT TO MUNICIPAL REGULATION ANY LEGAL RIGHT TO ENGAGE IN SUCH BUSINESS.

SECTION 32-107: DISPLAY OF LICENSE.

IT SHALL BE THE DUTY OF ANY PERSON CONDUCTING A LICENSED BUSINESS IN THE CITY TO KEEP HIS LICENSE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES USED FOR SUCH BUSINESS AT ALL TIMES.

SECTION 32-108: TERMINATION AND RENEWAL OF LICENSES.

- A. ALL ANNUAL LICENSES SHALL TERMINATE ON THE 15TH DAY OF MARCH IN EACH CALENDAR YEAR.
- B. EACH LICENSEE SHALL MAKE A WRITTEN APPLICATION FOR RENEWAL ON FORMS SUPPLIED BY THE CITY CLERK ON OR BEFORE THE 15TH DAY OF MARCH IN EACH CALENDAR YEAR, WHICH APPLICATION SHALL CONTAIN SUBSTANTIALLY THE SAME INFORMATION AS THE INITIAL APPLICATION AND BE ACCOMPANIED BY ALL REQUIRED FEES.
- C. AN APPLICANT FOR RENEWAL OF A LICENSE SHALL BE ENTITLED TO A REFUND OF FEES TENDERED IF HE WITHDRAWS HIS APPLICATION FOR RENEWAL PRIOR TO FINAL ACTION ON THE SAME BY THE CITY COUNCIL.

SECTION 32-109: REVOCATION, SUSPENSION, ETC.

THE CITY COUNCIL, AFTER AFFORDING THE LICENSEE NOTICE OF THE CHARGES AND OPPORTUNITY TO BE HEARD WITH RESPECT TO ANY REVOCATION PROCEEDINGS, MAY, IF IT FINDS THIS CHAPTER TO HAVE BEEN VIOLATED BY THE LICENSSE, HIS AGENT, OR EMPLOYEE, REVOKE SUCH LICENSE IN ITS ENTIRETY, SUSPEND THE SAME FOR A SPECIFIED PERIOD OF TIME, PLACE THE LICENSEE ON PROBATION, OR PLACE OTHER CONDITIONS THEREON AS THE COUNCIL MAY DEEM REASONABLY NECESSARY.

SECTION 32-110: CHANGE OF LOCATION.

IN THE ABSENCE OF ANY PROVISION TO THE CONTRARY, THE LOCATION OF ANY LICENSED BUSINESS OR OCCUPATION MAY BE CHANGED, PROVIDED 10 DAYS' NOTICE THEREOF IS GIVEN TO THE CITY CLERK, AND PROVIDED THAT ALL BUILDING AND ZONING REQUIREMENTS ARE COMPLIED WITH.

SECTION 32-111: TRANSFER OF LICENSES.

ALL LICENSES SHALL BE PERSONAL TO THE LICENSEE TO WHOM ISSUED, BUT IN CASES WHERE THE OWNERSHIP IS CHANGED AND BOTH THE NAME AND LOCATION OF THE LICENSED BUSINESS OR OCCUPATION ARE MAINTAINED, THE MAYOR AND CITY COUNCIL MAY ALLOW THE LICENSE TO BE TRANSFERRED.

SECTION 32-112: DUPLICATE LICENSES.

A DUPLICATE LICENSE SHALL BE ISSUED BY THE CITY CLERK TO REPLACE A PREVIOUSLY ISSUED LICENSE WHICH HAS BEEN LOST, STOLEN, DEFACED, OR DESTROYED WITHOUT ANY WILLFUL CONDUCT ON THE PART OF THE LICENSEE, UPON THE FILING OF A SWORN AFFIDAVIT ATTESTING TO SUCH FACT AND THE PAYMENT OF A FEE OF \$_____ TO THE CITY CLERK.

SECTION 32-113: BRANCH OFFICES.

FOR THE PURPOSES OF THIS CHAPTER, EACH BRANCH ESTABLISHMENT OR LOCATION WHEREIN A REPRESENTATIVE OF THE OWNER IS EMPLOYED AND IS AUTHORIZED TO TRANSACT BUSINESS FOR SUCH OWNER SHALL BE DEEMED A SEPARATE PLACE OF BUSINESS FOR WHICH A SEPARATE LICENSE SHALL BE REQUIRED, PROVIDED THAT WAREHOUSES AND DISTRIBUTING PLANTS USED IN CONNECTION WITH AND INCIDENTAL TO A BUSINESS LICENSED UNDER THE PROVISIONS OF THIS CHAPTER SHALL NOT BE DEEMED TO BE SEPARATE PLACES OF BUSINESS OR BRANCH OFFICES.

SECTION 32-114: JOINT LICENSE.

A PERSON ENGAGED IN TWO OR MORE BUSINESSES AT THE SAME LOCATION SHALL BE REQUIRED TO OBTAIN SEPARATE LICENSES FOR CONDUCTING EACH OF SUCH BUSINESSES FOR WHICH A LICENSE IS REQUIRED.

SECTION 32-115: PENALTIES.

ANY PERSON WHO SHALL CONDUCT A BUSINESS OR OCCUPATION WITHOUT HAVING OBTAINED A LICENSE AND/OR WITHOUT HAVING PAID THE ANNUAL BUSINESS LICENSE FEE AS REQUIRED BY THIS CHAPTER, OR WHO SHALL VIOLATE ANY OTHER PROVISIONS OF THIS CHAPTER, SHALL, UPON CONVICTION THEREFOR, BE PUNISHED BY A FINE NOT TO EXCEED \$500.00 AND COSTS, ANY AND ALL OF SUCH PENALTIES TO BE IMPOSED IN THE DISCRETION OF THE JUDGE OF THE RECORDER'S COURT. THE RECORDER'S COURT SHALL BE AUTHORIZED TO ISSUE A GENERAL F.I.F.A. FOR THE AMOUNT OF THE UNPAID BUSINESS LICENSE FEE PLUS FINE AND COSTS, WHICH F.I.F.A. MAY BE LEVIED AGAINST SUCH PERSON'S PERSONAL PROPERTY WITHIN THE CITY LIMITS.

SECTION 32-116: REPEALER CLAUSE.

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 32-117: INVALIDITY OR UNCONSTITUTIONALITY.

IF ANY PORTION OF THIS ORDINANCE SHALL BE HELD TO BE INVALID OR UNCONSTITUTIONAL, SUCH INVALIDITY OR UNCONSTITUTIONALITY SHALL NOT AFFECT OR IMPAIR THE REMAINING PORTIONS UNLESS IT CLEARLY APPEARS THAT SUCH OTHER PARTS ARE WHOLLY AND NECESSARILY DEPENDENT UPON THE PART HELD TO BE INVALID OR UNCONSTITUTIONAL.

SECTION 32-118: RENUMBERING OR RELETTERING OF CODE OF ORDINANCES.

IT IS THE INTENT OF THE MAYOR AND COUNCIL AND IT IS ENACTED THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE CODE OF ORDINANCES OF THE CITY OF MCINTYRE, GEORGIA, AND THAT SECTIONS OF THIS ORDINANCE BE RENUMBERED OR RELETTERED TO ACCOMPLISH SUCH INTENTION.

SECTION 32-119: EFFECTIVE DATE.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS READING
AND PASSAGE AS PROVIDED IN THE CITY CHARTER.

SECTION 32-120: CONSTRUCTION OF ORDINANCE.

THIS ORDINANCE SHALL NOT BE CONSTRUED TO REPLACE ANY
OTHER ORDINANCE OR PROVISION OF THE CHARTER OR CODE OF
ORDINANCES DEALING WITH THE LICENSING OF BUSINESS
ENGAGED IN THE SALE OF BEER AND/OR WINE, BUT SHALL BE
IN ADDITION TO ANY SUCH ORDINANCE.

PASSED: THE 1 DAY OF May, 1989.

AYES _____ NAYS _____

CITY OF MCINTYRE, GEORGIA

BY: John Ira Crutchfield

MAYOR

ATTEST: Carol Adams Panther

CITY CLERK

(SEAL)

MY COMMISSION EXPIRES AUG. 20, 1990

<DOC:MCINORD1.DOC>

05-02-89

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the Town of McIntyre adopted December 6, 1983.


SEAL

Mildred Carter .

City Clerk

In and for the Town of McIntyre, Georgia
Wilkinson County

ORDAINED this 6 day of December, 1983, by the Mayor
and Council of the Town of McIntyre.



JULIAN ROBERTS
MAYOR

ATTEST:



MS. MILDRED CARTER
CITY CLERK

IN AND FOR THE TOWN OF McINTYRE, GEORGIA

WILKINSON COUNTY

AN ORDINANCE

To impose license fees on life insurers conducting business within the Town of McIntyre; to impose a gross premiums tax on insurers operating within said city; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the Town of McIntyre, and it is hereby ordained by authority thereof:

Section 1. Life Insurers License Fees.

There is hereby levied for the year 1984 and for each year thereafter an annual license fee upon each life insurer doing business within the Town of McIntyre in the amount of Fifteen Dollars (\$ 15.00). For each separate business location in excess of one not covered by Section 2, which is operating on behalf of such insurers within the Town of McIntyre, there is hereby levied a license fee in the amount of Ten Dollars (\$ 10.00). For the purposes of this ordinance, the term "insurer" means a company which is authorized to transact business in the class of insurance designated in subsection 1 of O.C.G.A. §33-3-5.

Section 2. License Fee for Life Insurers Insuring Certain Risks at Additional Business Locations.

For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged

In and For the Town of McIntyre, Georgia
Wilkinson County

in the business of lending money or transacting sales involving term financing and in connection with such loans or sales, offers, solicits or takes application for insurance through a licensed agent of a life insurer for life insurance said insurer shall pay an additional license fee of \$10.00 per location for the year 1984 and for each year thereafter.

Section 3. Life Insurance Agency License Fees; Independent Life Insurance Agencies, Brokers, etc. not Otherwise Licensed.

There is hereby levied for the year 1984 and for each year thereafter an annual license fee upon independent agencies and brokers for each separate business location from which a life insurance business is conducted and which is not subject to the company license fee imposed by Section 1 hereof, in the amount of Ten Dollars (\$ 10.00) for each such location within the Town of McIntyre.

Section 4. Gross Premiums Tax Imposed on Life Insurers.

There is hereby levied for the year 1984 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness insurance within the Town of McIntyre in an amount equal to one percent (1%) of the gross direct premiums received during the calendar year in accordance with O.C.G.A. §33-8-8.1. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. §33-8-4. The premium tax levied by this section is in addition to the license fees imposed by Section 1 of this ordinance.

Section 5. Gross Premiums Tax, All Other Insurers.

There is hereby levied for the year 1984 and for each year thereafter an annual tax upon each insurer, other than an insurer transacting business in

In and for the Town of McIntyre, Georgia
Wilkinson County

the class of insurance designated in subsection 1 of O.C.G.A. §33-3-5, doing business within the Town of McIntyre in an amount equal to two and one-half percent (2.5%) of the gross direct premiums received during the calendar year, in accordance with O.C.G.A. §33-8-8.2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. §33-8-8.2(a).

Section 6. Due Date for License Fees.

License fees imposed in Sections 1, 2 and 3 of this ordinance shall be due and payable on the 1st day of 1984 and on 1st of each subsequent year.

Section 7. Administrative Provisions.

The City Clerk is hereby directed to forward a duly certified copy of this ordinance to the Insurance Commissioner of the State of Georgia.

Section 8. Effective Date.

This ordinance shall become effective January 1, 1984.

Section 9. Severability.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the Town of McIntyre that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 10. Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

The following draft is a sample ordinance levying license fees and premiums taxes upon the conduct of insurance business within your City. This sample is prepared for the convenience of city attorneys in assisting them in the preparation of an ordinance to assure that their city conforms to section 33-8-8 of the Official Code of Georgia Annotated. Each city should rely on its local attorney for drafting of an ordinance specifically for the city.

AN ORDINANCE

To impose license fees on insurers conducting business within the City of McIntosh to impose a gross premiums tax on insurers operating within said city; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of McIntosh and it is hereby ordained by authority thereof:

Section 1. Insurer License Fees

There is hereby levied for the year 1989 and for each

Section 2. License Fee for Insurers Insuring Certain
Risks at Additional Business Locations

For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales, offers, solicits or takes application for insurance through a licensed agent

of an insurer for insurance said insurer shall pay an additional license fee of \$ 50.00 per location for the year 1989 and for each year thereafter.

Section 3. Insurance Agency License Fees; Independent Insurance Agencies, Brokers, etc. not Otherwise Licensed

There is hereby levied for the year 1984 and for each year thereafter an annual license fee upon independent agencies and brokers for each separate business location from which an insurance business is conducted and which is not subject to the company license fee imposed by Section 1 hereof, in the amount of fifteen Dollars (\$ 15.00) for each such location within the City of McIntosh.

Section 4. Gross Premiums Tax Imposed on Life Insurers

There is hereby levied for the year 1984 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness

Section 5. Gross Premiums Tax, All Other Insurers.

There is hereby levied for the year 1984 and for each year thereafter an annual tax upon each insurer, other than an insurer transacting business in the class of insurance designated in subsection 1 of O.C.G.A. §33-3-5, doing business within the City of Montgomery in an amount equal to two and one-half percent (2.5%) of the gross direct premiums received during the preceding calendar year, in accordance with O.C.G.A. §33-8-8.2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. §33-8-8.2(a).

Section 6. Due Date for License Fees.

License fees imposed in Sections 1, 2 and 3 of this ordinance shall be due and payable on the 1 day of 1984 and on 1st of each subsequent year.

Section 7. Administrative Provisions.

The City Clerk is hereby directed to forward a duly certified copy of this ordinance to the Insurance Commissioner of the State of Georgia within 45 days of its enactment.

Section 8. Effective Date.

This ordinance shall become effective January 1, 1988.

Section 9. Severability.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of McIntosh that such adjudication shall in no manner affect the other

Section 10. Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

ORDAINED this 21 day of Dec., 1990, by the Mayor and Council of the City of Wichita.

John L. Crutchfield
Mayor

ATTEST:

Carol A. Rafter
City Clerk

The following draft is a sample ordinance levying license fees and premiums taxes upon the conduct of insurance business within your City. This sample is prepared for the convenience of city attorneys in assisting them in the preparation of an ordinance to assure that their city conforms to section 33-8-8 of the Official Code of Georgia Annotated. Each city should rely on its local attorney for drafting of an ordinance specifically for the city.

AN ORDINANCE

To impose license fees on insurers conducting business within the City of McIntyre to impose a gross premiums tax on insurers operating within said city; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of McIntyre and it is hereby ordained by authority thereof:

Section 1. Insurer License Fees

There is hereby levied for the year 1989 and for each year thereafter an annual license fee upon each insurer doing business within the City of McIntyre in the amount of fifteen Dollars (\$ 15.00).

For each separate business location in excess of one not covered by Section 2 which is operating on behalf of such

Section 2. License Fee for Insurers Insuring Certain
Risks at Additional Business Locations

For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales, offers, solicits or takes application for insurance through a licensed agent

of an insurer for insurance said insurer shall pay an additional license fee of \$ 50.00 per location for the year 1989 and for each year thereafter.

Section 3. Insurance Agency License Fees; Independent Insurance Agencies, Brokers, etc. not Otherwise Licensed

There is hereby levied for the year 1984 and for each year thereafter an annual license fee upon independent agencies and brokers for each separate business location from which an insurance business is conducted and which is not subject to the company license fee imposed by Section 1 hereof, in the amount of fifteen Dollars (\$ 15.00) for each such location within the City of McIntyre.

Section 4. Gross Premiums Tax Imposed on Life Insurers

There is hereby levied for the year 1984 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness insurance within the City of McIntyre in an amount equal to one percent (1%) of the gross direct premiums received during the preceding calendar year in accordance with O.C.G.A. §33-8-8.1. Gross direct premiums as used in this section

Section 5. Gross Premiums Tax, All Other Insurers.

There is hereby levied for the year 1984 and for each year thereafter an annual tax upon each insurer, other than an insurer transacting business in the class of insurance designated in subsection 1 of O.C.G.A. §33-3-5, doing business within the City of Atlanta in an amount equal to two and one-half percent (2.5%) of the gross direct premiums received during the preceding calendar year, in accordance with O.C.G. §33-8-8.2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. §33-8-8.2(a).

Section 6. Due Date for License Fees.

License fees imposed in Sections 1, 2 and 3 of this ordinance shall be due and payable on the 1 day of 1984 and on 1st of each subsequent year.

Section 7. Administrative Provisions.

The City Clerk is hereby directed to forward a duly certified copy of this ordinance to the Insurance Commissioner of the State of Georgia within 45 days of its enactment.

Section 8. Effective Date.

This ordinance shall become effective January 1, 1988.

Section 9. Severability.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of McIntosh that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

ORDAINED this 4 day of Dec., 1990, by the Mayor
and Council of the City of Oriskany.

John J. Crutcher
Mayor

ATTEST:

Carol A. Batten
City Clerk

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the City of McIntosh adopted Dec. 4, 1990.



Carol A. Panther
City Clerk
