

ORDINANCE NO. 116-01

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, AMENDING THE CODE OF QUARTZSITE, ARIZONA, CHAPTER 8 BUSINESS REGULATIONS, ARTICLE 8-2 BUSINESS LICENSE CODE BY AMENDING SECTION 8-2-9 FEES TO PROVIDE THAT BUSINESS LICENSES EXPIRE ON JULY 31 OF EACH YEAR; PROVIDING FOR AN EFFECTIVE DATE; REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

BE IT ORDAINED by the Mayor and Common Council of the Town of Quartzsite, Arizona, as follows:

Section I. In General.

The Code of Quartzsite, Arizona, Chapter 8 Business License Regulations, Article 8-2 Business License Code is hereby amended by amending Section 8-2-9 Fees to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

**Section 8-2-9 LICENSE REQUIRED; TERM OF LICENSE; Fees**

A. All businesses, occupations, professions, trades or callings, not having first obtained a license pursuant to Article 8-1 of this code shall OBTAIN A BUSINESS LICENSE PURSUANT TO THIS ARTICLE 8-2.

B. BUSINESS LICENSES SHALL BE VALID FOR ONE YEAR COMMENCING AUGUST 1 OF THE YEAR ISSUED. IF AN INITIAL BUSINESS LICENSE IS ISSUED FOR AN EFFECTIVE DATE AFTER AUGUST 1 OF ANY YEAR, THE BUSINESS LICENSE SHALL BE VALID FROM THE DATE OF ISSUANCE UNTIL THE FOLLOWING JULY 31.

C. THE BUSINESS LICENSE FEE SHALL BE ~~pay a license fee in the amount of \$75.00 per year.~~ FOR AN INITIAL LICENSE ISSUED AFTER AUGUST 1 OF ANY YEAR, THE LICENSE FEE SHALL BE PRORATED ON A MONTHLY BASIS FROM THE FIRST DAY ON THE MONTH IN WHICH THE LICENSE IS ISSUED THROUGH THE FOLLOWING JULY 31. ~~All permits or licenses unless specifically excepted, shall be issued for a period of one year and shall run for 1-year to month of purchase when the license may be renewed, provided that no license or permit shall be renewed unless the licensee or permittee conforms with the provisions of this code.~~

D. A BUSINESS LICENSE MAY BE RENEWED FOR AN ADDITIONAL YEAR BY FILING THE LICENSE FEE PRIOR TO THE EXPIRATION DATE. NO LICENSE SHALL BE RENEWED UNLESS THE LICENSEE OR

PERMITTEE CONFORMS TO THE PROVISIONS OF THE TOWN CODE, INCLUDING PAYMENT OF TRANSACTION PRIVILEGE TAXES AS REQUIRED BY CHAPTER 9. ALL RENEWALS OF LICENSES SHALL BE SUBJECT TO ZONING REVIEW.

E. ANY PERSON WHO IS REQUIRED TO OBTAIN A BUSINESS LICENSE AND FAILS TO DO SO PRIOR TO CONDUCTING ANY ACTIVITY FOR WHICH A LICENSE IS REQUIRED SHALL BE SUBJECT TO A PENALTY OF FIFTY PERCENT (50%) OF THE ANNUAL LICENSE FEE WHICH WOULD HAVE BEEN IMPOSED ON THE DATE ON WHICH SUCH ACTIVITIES COMMENCED IN ADDITION TO PAYMENT OF THE APPLICABLE LICENSE FEE. ALL LICENSE FEES AND PENALTIES OWED BY A PERSON PURSUANT TO THIS SUBSECTION MUST BE PAID BEFORE A NEW BUSINESS LICENSE IS ISSUED TO SUCH PERSON.

F. Licenses or permits issued under this code shall not be transferable. ~~All renewals of licenses shall be subject to zoning review.~~

Section II. Effective Date; Existing Business Licenses.

This ordinance shall be effective from and after August 1, 2016. The business license fee for existing licenses with an expiration date after July 31, 2016 shall receive a credit against the license fee established in Section 8-2-9, Paragraph C for the remaining portion of the license term of the existing license.

Section III. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section IV. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section V. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

PASSED AND ADOPTED by the Common Council of the Town of Quartzsite,  
Arizona, this 12<sup>th</sup> day of JANUARY, 2016, by the following vote:

AYES: SIX  
NAYES: none ABSENT: one  
EXCUSED: none ABSTAINED: none

APPROVED this 12<sup>th</sup> day of JANUARY, 2016.

  
Ed Foster, Mayor

ATTEST:

  
Tina Abriani, Town Clerk

APPROVED AS TO FORM:

  
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
Town Attorneys  
By: Susan D. Goodwin

I, TINA ABRIANI, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND  
CORRECT COPY OF THE ORDINANCE NO. 16-01 ADOPTED BY THE COMMON  
COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, ON THE 12<sup>TH</sup> DAY OF  
JANUARY, 2016, WAS POSTED IN THREE PLACES AND ON THE TOWN'S  
WEBSITE ON THE 2<sup>ND</sup> DAY OF FEBRUARY, 2016.

  
Tina Clerk