

ORDINANCE NO. 651

An Ordinance to Amend Ordinances 513, 523, 526

WHEREAS, Section 40-1-44 of the Code of Alabama, as amended, sets forth the interest rate a municipality may charge on delinquent taxes pursuant to 26 U.S.C. § 6621 of the authority of the Secretary of the Treasury; and

WHEREAS, it has become necessary to amend Ordinance No. 523 Section 16 (c) in order to comply with said law; and

WHEREAS, Section 11-51-90 of the Code of Alabama, as amended, requires the Alabama Department of Revenue to analyze the U.S. Department of Labor's Producer Price Index every five years and determine how much business license issuance fees should increase and notify all municipalities; and

WHEREAS, the Alabama Department of Revenue posted notice on August 14, 2022 adjusting the issuance fee to \$14.00 and it is necessary to amend Ordinance No. 513 Section 3 (c) to implement this change; and

WHEREAS, the minimum license fee of \$100.00 has not increased since 2006 and there has been an increase in production and enforcement costs; it is necessary to amend Ordinance No. 513 Section 3 (a) and all schedules that reflect a minimum license fee of \$100.00 in Ordinance Numbers 513, 523, and 526 to a minimum license fee of \$106.00 unless the license fee is otherwise set by law.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hanceville, Alabama, that the following Ordinances, Sections, and Schedules shall be amended as follows:

Ordinance No. 513

Section 3

(a) Every person who commences business before the first day of July shall be subject to and shall pay the annual license for such business in full. Unless otherwise specified in the enclosed schedules, the minimum annual license shall be one hundred six dollars (\$106.00).

(c) Issuance Fee. For each license issued there shall be an issuance fee collected in the amount allowed by the Alabama Department of Revenue and said issuance fee shall be collected in the same manner as the license tax.

Schedule "I"

Daily Rate	issued for single day sales activity	\$10.00
Weekly Rate	issued for week long sales activity	\$25.00
Monthly Rate	issued for month long sales activity	\$50.00

Yearly rate issued for annual sales activity \$106.00

Schedule "M"

Accommodations for hotels, motels, apts, bed and breakfast inns, rooming houses and boarding houses shall be \$106.00.

Schedule "T"

Itinerant businesses operating outside of the corporate limits but within the jurisdiction and located outside the jurisdiction, shall pay the itinerant rate for a business license of \$106.00.

Ordinance No. 523

Section 16

(c) All delinquent accounts (both license taxes and penalties) shall also be charged interest per month at the rate established by 26 USCA 6621, according to Section 40-1-44, Code of Alabama 1975.

Schedule "A"

If Gross Receipts is	But Less Than:	License Amount
Greater than or equal to:		
0	\$100,000.00	\$106.00
\$100,000.00	\$1,000,000.00	\$1.00 per 1,000 in excess of \$100,000 plus \$106.00
In excess of \$1,000,000.00		\$0.80 per 1,000 in excess of \$1,000,000.00 plus \$1006.00

Schedule "B"

If Gross Receipts is	But Less Than:	License Amount
Greater than or equal to:		
0	\$100,000.00	\$106.00
\$100,000.00	\$500,000.00	\$0.80 per 1,000 in excess of \$100,000 plus \$106.00
In excess of \$500,000.00		\$0.60 per 1,000 in excess of \$500,000 plus \$426.00

Schedule "D"

If Gross Receipts is	But Less Than:	License Amount
Greater than or equal to:		
0	\$100,000.00	\$106.00
\$100,000.00	\$500,000.00	\$0.75 per 1,000 in excess of \$100,000 plus \$106.00
In excess of \$500,000.00		\$0.50 per 1,000 in excess of \$500,000 plus \$406.00

Schedule "E"

If Gross Receipts is	But Less Than:	License Amount
Greater than or equal to:		
0	\$100,000.00	\$106.00
\$100,000.00	\$500,000.00	\$0.75 per 1,000 in excess of \$100,000 plus \$106.00
In excess of \$500,000.00		\$0.60 per 1,000 in excess of \$500,000 plus \$406.00

Ordinance No. 526

Schedule "C"

If Gross Receipts is	But Less Than:	License Amount
Greater than or equal to:		
0	\$100,000.00	\$106.00
\$100,000.00	\$500,000.00	\$1.00 per 1,000 in excess of \$100,000 plus \$106.00
In excess of \$500,000.00		\$0.70 per 1,000 in excess of \$500,000 plus \$506.00

Schedule "F"

If Gross Receipts is	But Less Than:	License Amount
Greater than or equal to:		
0	\$100,000.00	\$106.00
\$100,000.00	\$1,000,000.00	\$1.00 per 1,000 in excess of \$100,000 plus \$106.00
In excess of \$1,000,000.00		\$0.20 per 1,000 in excess of \$1,000,000.00 plus \$1006.00

Effective Date

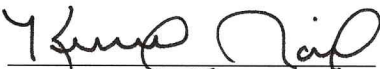
This ordinance shall become effective on January 1, 2023.

Repealer

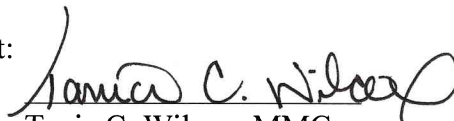
Each of the provisions of this ordinance are severable and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted this 22nd day of December 2022.


Mayor Kenneth Nail

Attest:


Tania C. Wilcox, MMC