



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

ORDINANCE NO. 2018-12

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 5 “BUSINESS LICENSES AND REGULATIONS,” CHAPTER 5.05 “BUSINESS LICENSES,” SECTIONS 5.05.160, 5.05.180 AND 5.05.190, TO REMOVE THE FEE SCHEDULE FROM THE TOWN CODE AND ALLOW THE TOWN COUNCIL TO ESTABLISH FEES FOR BUSINESS LICENSES BY ADOPTING RESOLUTIONS.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the “Code”], and has amended and republished the Code from time to time, as authorized by A.R.S. section 9-240 (B) (28); and

WHEREAS, pursuant to A.R.S. 9-240 (B) (10), (18) & (19), and the Code section 5.05.160, the Town Council may establish fees for issuing and renewing business licenses; and

WHEREAS, the Town Council wishes to amend the Code to remove the fee schedule for issuing and renewing business licenses from the Town Code and enable the Council to adopt and amend the schedule by resolution; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on May 10, 2018, and at a subsequent meeting on May 24, 2018.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

SECTION 1. The Code, Chapter 5.05 “BUSINESS LICENSES,” Section 5.05.160 “Amount of fees,” is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

5.05.160 Amount of fees.

Town Local annual business license fees and nonresident license fees shall be in the amounts listed in this chapter; provided, that for any business not specifically listed in this chapter, a license fee of \$40.00 per year, which shall include the owner and one employee, plus \$10.00 for each additional employee, shall be imposed and collected established by resolution of the council and amended from time to time.

SECTION 2. The Code, Chapter 5.05 "BUSINESS LICENSES," Section 5.05.180 "License fees must conform to this chapter," is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

5.05.180 License fees must conform to this chapter.

No greater or less amount of money shall be charged or received for any license than is ~~provided for in this chapter~~ established by the council, and no license shall be issued for any period of time other than as provided in this chapter.

SECTION 3. The Code, Chapter 5.05 "BUSINESS LICENSES," Section 5.05.190 "Fee Schedule," is deleted in its entirety.


SECTION 4. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 5. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 6. As provided in the Code, Section 1.05.110, any person found guilty of violating any provision of the Code, including this Ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed one thousand dollars or by imprisonment for a period of not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as hereinabove described.

SECTION 7. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 24th DAY OF MAY, 2018.


Kenneth Taylor, Mayor

ATTEST:


Jennifer Fuller, Town Clerk

Approved as to Form:


Thomas Benavidez, Town Attorney