

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2006-14**

** ** **

AN ORDINANCE AMENDING ORDINANCE 2001-13, "AN ORDINANCE LEVYING AND IMPOSING LICENSE FEES FOR PRIVILEGE OF ENGAGING IN BUSINESS, OCCUPATIONS, TRADES AND PROFESSIONS IN THE CITY OF RUSSELLVILLE, KENTUCKY, MEASURED BY TWO PERCENT (2%) OF THE AMOUNTS EARNED WITHIN THE CITY OF RUSSELLVILLE, KENTUCKY, ON AND AFTER THE SIXTH DAY OF JANUARY, 1972, DEFINING WORDS, PHRASES AND TERMS; PRESCRIBING REGULATIONS AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND COLLECTION OF SUCH LICENSE FEES; REQUIRING THE FILING OF RETURNS AND THE GIVING OF INFORMATION BY ALL THOSE SUBJECT TO SUCH LICENSE TAX; PROVIDING THAT THE LICENSE FEES COLLECTED SHALL BE PAID INTO THE GENERAL FUND OF THE CITY OF RUSSELLVILLE FOR PAYMENT OF GENERAL GOVERNMENTAL EXPENSES AND FOR CAPITAL IMPROVEMENTS AS MAY BE DIRECTED BY THE CITY COUNCIL; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE" BY DELETING THE REQUIREMENT FOR FEDERALLY-ACCEPTABLE DOCUMENTATION IN SECTION IV(a) AND DELETING THE REQUIREMENT FOR PAYING NET PROFITS LICENSE FEES FOR INDIVIDUALS OVER 65 WHO ARE NOT REQUIRED TO FILE A FEDERAL RETURN; WITH A REPEALER CLAUSE, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Russellville has previously enacted Ordinance 2001-13 as captioned above; and

WHEREAS, City Council of Russellville, Kentucky, deems it necessary and proper for Ordinance 2001-13 to be amended in order to further the health, safety and welfare of the citizens of the City of Russellville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY, AS FOLLOWS:

I. THE AMENDMENTS:

A. Section IV(a) is amended as follows:

Each employer who employs one or more persons within the city shall deduct monthly, or more often than monthly, at the time of payment thereof, the license fee so deducted. Beginning with the January - March, 1972, quarter, the payment required to be made on account of deduction by employers shall be made to the Treasurer monthly, on or before the last day of the month next following the month of said

deduction, or quarterly, for the quarterly periods ending March 31, June 30, September 30 and December 31 of each year, on or before the last day of the month next following the quarter of said deduction. Said employer shall annually during the month of January, make a return to the Director of Finance in which is set forth the name and residence address of each employee of said employer during the preceding calendar year, giving the amount of salaries, wages, commissions or other compensations earned during the preceding year, by each such employee. Provided, however, that the failure or omission of any employer to deduct each license fee shall not relieve the employee from the payment of such license fee in compliance with such regulations with respect to making returns and payment thereof, as may be fixed in this ordinance or established by the Director of Finance. Copies of W-2 statements are acceptable for this annual return. Persons or businesses using contract laborers are to provide the City with a copy of the 1099 form for each contract laborer. Persons or business entities that are not required to file the 1099 forms with the federal government must send federally-acceptable equivalent documentation. If a business entity or person is not required to remit Federal form 1099 to the IRS, including but not limited to payments less than \$600.00, they are still required to remit the equivalent information to the City. The information required to be reported by said licensee shall include:

- Payer's name, address, social security number and/or Federal identification number
- Recipient's name and address
- Recipient's social security and/or Federal identification number
- Amount of non-employee compensation paid in the calendar year
- Amount of non-employee compensation earned in the City for the calendar year

B. Section IV(e) is hereby amended as follows:

Licensees over the age of 65, who do not have to file a federal return because they do not meet the minimum income requirements ~~are still~~ shall not be required to pay City net profits taxes. However, the City hereby waives the requirement that the licensee file a copy of their federal return; a signed affidavit stating that the licensee is not required to file a federal return will be sufficient documentation.

II. SEVERABILITY CLAUSE: The provisions of this Ordinance are severable. If any sentence, clause or part of this Ordinance or the application thereof to any particular state of case is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance, it being the legislative intent of this body to ordain and in act each other.

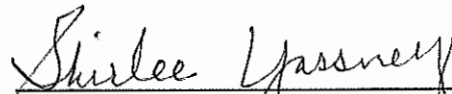
III. REPEALER CLAUSE: All ordinances or parts of ordinances in conflict here with now in effect, requiring the payment of a license fee for the privilege of engaging in any trade, occupation or profession to the extent of said conflict, are hereby repealed.

Nothing in this section is intended to relieve any licensee of any fee or portion of a fee which has accrued and is owed to the City under existing ordinance before their repeal by the terms hereof.

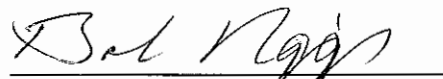
IV. EFFECTIVE DATE: This ordinance shall become effective upon passage and publication as required by law.

FIRST READING conducted the 22nd day of August, 2006.

SECOND READING AND PASSAGE on the 5th day of September, 2006.


SHIRLEE YASSNEY, MAYOR

ATTEST:


BOB RIGGS, CITY CLERK

Ayes: Jones, Russell; McPherson, Lanny; Phillips, Chuck; Stratton, Mark; Whipple, Jack; Zick, Eugene

Nays: none

Absent: none

Abstaining: none