

CITY OF ARCADIA, MISSOURI

BILL NUMBER 2014-195 ORDINANCE NUMBER 195 PAGE 1 OF 3

ORDINANCE NUMBER 195 : AN ORDINANCE ALLOWING FOR THE GRANTING OF A LICENSE FOR TELEPHONE SERVICE IN THE CITY OF ARCADIA, MISSOURI

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ARCADIA, MISSOURI, AS FOLLOWS:

Section One. Definitions. As used in this Ordinance, the following terms have the following meanings:

1. **Person.** Means any individual, firm, partnership, joint partnership, limited partnership, limited liability company, joint venture, association, corporation, estate, business trust, receiver, syndicate, or any other groups or combination of groups acting as a unit, in the plural as well as the singular.

Section Two. License Required. No person shall carry on, conduct or engage in the business of supplying telephone service for compensation in the City of Arcadia, Missouri, without first obtaining a license to do so.

Section Three: License Fee. Every person who shall carry on, conduct or engage in the business of supplying telephone service for compensation in the City of Arcadia, Missouri, shall pay to the City as a license fee of each year that said person shall conduct or engage in said business, a sum equal to five percent (5%) of the gross annual revenue from said telephone service, not including any revenue derived from service to said municipality or any revenue from industrial customers (but to exclude any revenue derived from retail establishments) billed on the company's industrial service rates. Said license fee to be determined as hereinafter provided, during the period for which such license shall be obtained.

Section Four: Payment of License Fee—Statement of Gross Receipts.

1. Every such person conducting or engaging in the business of supplying telephone service for compensation in the City of Arcadia, Missouri shall, on or before the thirty-first (31) day of December of each year, or on or before the date upon which such person first engages in any such business in the City of Arcadia, Missouri, and on or before the thirty-first (31) day of such succeeding December, file with the City of Arcadia, Missouri an application, in writing, for a license to conduct such business in said City for a period commencing on January first (1st) and ending on December thirty-first (31st) then next following. Such application shall be made in a form to be prescribed by the City Clerk. Upon the filing of such application on or before the thirty-first (31st) day

of December , as aforesaid, the City Clerk shall issue a license to such applicant for a license to carry on, conduct, or engage in the business of supplying telephone service, for compensation, for the period of January first (1st) to December thirty-first (31st), next following.

2. On or before the fifteenth (15th) day of July, next following the first (1st) day of January that any such license shall be issued, such applicant holding a license to carry on, conduct, or engage in the business of supplying telephone service for compensation in the City of Arcadia, Missouri, shall file with the City Clerk of the City of Arcadia, Missouri, a sworn statement setting forth the gross receipts from such business in said City for the period of January first (1st) to the following thirtieth (30th) day of June, and shall on or before the fifteenth (15th) day of July, pay to the City Collector of the City of Arcadia, Missouri, a license fee provided for in Section Three of this Ordinance. Also, on or before the fifteenth (15th) day of January, next following said fifteenth (15th) day of July, said applicant holding a license to carry on, conduct or engage in the business of supplying telephone service for compensation in the City of Arcadia, Missouri shall file with the City Clerk a sworn statement setting for the gross receipts from such business in the City of Arcadia, Missouri for the period of July first (1st) to the following thirty-first (31st) day of December, and shall on or before the fifteenth (15th) day of January, pay to the City a license fee as provided under Section Three of this Ordinance.

Section Five. Licensee's Books shall be Open to Inspection. The City Clerk of the City of Arcadia, Missouri, or any other person authorized by the Board of Aldermen of said City, shall have free access at all reasonable times to the books and records of any person carrying on, conducting, or engaging in any business described in this Ordinance, for the purposes of verifying the correctness and accuracy of any statement required to be made by the provisions of this Ordinance.

Section Six. Penalty. Every such person who shall fail, neglect, or refuse to apply for a license, or who shall fail, neglect, or refuse to pay the license fee herein provided for, or who shall fail, neglect or refuse to file the sworn statement herein provided for, or who shall make any false or fraudulent statement under the provisions of this Ordinance, or who shall interfere with the City Clerk or other person delegated by the Board of Aldermen of the City of Arcadia, Missouri in the performance of any of the duties herein provided for, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not to exceed three hundred dollars (\$300.00) per occurrence.

Section Seven. Revocation of License by Board of Aldermen. In addition to the penalties provided for in Section Six of this Ordinance, the license of any person who shall have been convicted of violating any of the provisions of this Ordinance, may, at the

option of the Board of Aldermen, have that person's license revoked by the Board of Alderman of the City of Arcadia, Missouri, without notice.

Section Eight. License Fee in Lieu of All Other Occupational Tax. The license fee herein levied shall be in lieu of any other occupational tax required of any person to carry on, conduct, or engage in the business of supplying telephone service for compensation in the City of Arcadia, Missouri as described in Section Two of this Ordinance. However, nothing herein contained in this Ordinance shall be construed to exempt any such person from the payment to the City of Arcadia, Missouri of the tax which said City may now or hereafter levy upon the real or personal property belonging to any such person, nor any tax now or hereafter levied upon anything other than telephone service, nor shall the payment of the tax herein levied exempt any such person from the payment of any other tax which may be lawfully levied, other than any occupational tax on any business described in Section Two of this Ordinance.

Date of First Reading: October 27, 2014

Date of Second Reading: October 27, 2014

Passed and Approved: THIS 27th DAY OF OCTOBER 2014

Susie Dennison
Susie Dennison ☒ aye / ☐ nay

Margie Mathieson
Margie Mathieson ☒ aye / ☐ nay

Paula Head
Paula Head ☒ aye / ☐ nay

Judy Yates
Judy Yates ☒ aye / ☐ nay

Raylan
Mayor

ATTEST:

Lisa R. H.
City Clerk

