

Romney Annual Business and Occupation License and Fee

**Ordinance of the City of Romney
To Amend the
Romney License Fee Ordinance**

Article I

WHEREAS, the City of Romney (City) as authorized by West Virginia Code § 8-13-5 to impose an annual business and occupation license and fee as set forth under West Virginia Code §§ 11-13-1 et seq., and;

Whereas, the City finds that City of Romney Amended Ordinance #20050404-10090406 License Fees requires amendment, and;

WHEREAS, the City finds that the reference to WV Code Chapter 11, Article 13H in the aforementioned Amended Ordinance is invalid, and;

WHEREAS, the City desires to amended the Penalty for Default; Collection of Fees Penalty as stated in Number 10 of said Amended Ordinance, and;

WHEREAS, the City desires to amend the Penalty for Violation of Article as stated Number 11 of said Amended Ordinance, and;

WHEREAS, the City desires to amend the Business Not Requiring Fees as stated Number 13 of said Amended Ordinance.

NOW THEREFORE THE CITY AMENDS the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance.

Section 1: This Ordinance shall be known and identified as the Romney Annual Business and Occupation License and Fee.

Section 2: The definitions as set forth in Number 2 of the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance are hereby adopted in whole.

Section 3: Romney Business and Occupation License Fee:

This amends Number 3 of the Amended Ordinance#20050404-10090406 License Fees as follows:

On or after the 1st day of July 2012 no person shall engage in any business within the City of Romney without first obtaining a license and paying the fees set forth in Attachment A hereto.

All persons conducting business within the corporate limits are required to apply and procure a Romney Business License. When applicable an additional professional license

and fee shall be required from any persons engaged in any profession requiring state certification.

Section 4: The ordinance as set forth in Numbers 4,5,6,7,8,9, of the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance are hereby adopted in whole.

Section 5: Penalty for Failure to Obtain License and/or Pay Fees.

1. A penalty of ten percent (10%) of the amount of any fee due and unpaid shall be assessed for failure to obtain a City license and pay the required fees within the first thirty (30) days after July 1 each year.
2. For each succeeding month or portion thereof after July 31 each year, an additional fee of five percent (5%) is imposed, not to exceed twenty-five percent (25%) additional penalty.
3. For any person, business, entity that is required to obtain a City License, although no fee is due, and fails to obtain such license a penalty of One Hundred Dollars (\$100.00) is imposed.

Section 6: Penalty for Willful Violation or Providing False Information.

It shall be unlawful for any person to willfully fail or refuse to make application for a City license as set forth herein or to make any false or fraudulent statements in an application therefore with the intent to evade the payment of any fee due. Any person who knowingly gives false or fraudulent information with the intent to avoid application for the City license and payment of fees shall be subject to a fine of Five Hundred Dollars (\$500.00.)

Section 7: Expiration and Renewal.

The ordinance as set forth in Number 12 of the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance is hereby adopted in whole.

Section 8: Exemptions.

All businesses, persons, entities conducting business within the municipal limits of the City of Romney are required to obtain a City Business License. Any business, person or entity required to obtain a business and occupation license with a gross annual income of Four Thousand Dollars (\$4000.00) or less are exempt from payment of the Business and Occupation fee requirements. Such persons, business, entity claiming such exemption may be required by the City to provide documents of finances to claim such exemption. Failure to provide such requested financial disclosure shall subject the person, business, entity to such fees as the City determines are proper.

Section 9:

The ordinance as set forth in Numbers 14, 15, 16 of the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance are hereby adopted in whole.

Section 10: Severability

In the event that any section or part of the ordinance herein enacted and amended is found to be invalid in a court of record, such portion or section shall be severed from the remainder of the ordinance. The sections or portions not held to be invalid shall remain in full force and effect.

Section 11: Adoption of Attachment #1 Revised Fee Schedule

The Revised fee schedule identified as Attachment #1 to the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance is hereby adopted in whole.

Section 12: Revocation

Sections of the Amended Ordinance #20050404-10090406 License Fees, also known as the Romney License Fee Ordinance not herein amended or adopted in whole are hereby revoked.

First Reading: April 17, 2012
Date

Second Reading April 17, 2012
Date

Third Reading: May 7, 2012
Date

Effective this 7 day of May 2012.

Daniel O. Hileman
Daniel O. Hileman
Mayor, City of Romney

Stiff Memphis
Illiff Memphis
Recorder, City of Romney (Seal)