

DENALI BOROUGH, ALASKA
ORDINANCE NO. 05-12

Version A

INTRODUCED BY: Sid Michaels and Paul Schenk
Sponsored by: Finance Committee

AN ORDINANCE AMENDING THE DENALI BOROUGH CODE OF
ORDINANCES, ADDING CHAPTER 22, PERTAINING TO
BUSINESS LICENSES.

BE IT ENACTED by the Assembly of the Denali Borough, Alaska
that:

Section 1. Classification.

This ordinance is of a general and permanent nature.

Section 2. Title III of the Municipal Code is amended.

The Municipal Code is amended under Title III to add Chapter 22 as
follows:

CHAPTER 22

BUSINESS LICENSES

Sections:

1. License Required.
2. Application and Renewal.
3. Regulatory Provisions.
4. Fee.
5. Borough Mayor Regulation Promulgation Authority.
6. Unlawful Acts.
7. Penalties.
8. Alaska Statutes; Procedures.

Section 1. License Required.

(A) Only those individuals, companies or partnerships which engage in
business activity in the Denali Borough and have an Alaska State Business
License are required to have a Denali Borough Business License.

(B) When establishing a business in the Denali Borough, a person shall first apply for a borough business license. A license issued to a firm for a particular line of business covers all its operations in the Denali Borough in that line of business regardless of the number of its establishments.

(C) The borough business license must be prominently displayed at the place of business. When a business has more than one location, each location shall be listed on the license. The original license shall be displayed at the main location and a copy of the license displayed in each branch location. When there is a change of location a new business license is required showing the new address.

(D) A business license is not transferable. If a business is sold the new owner must purchase a new license. Also, a new business license must be purchased if a business changes its form of ownership (i.e. partnership to corporation) or its Line of Business.

Section 2. Application and Renewal.

(A) The application for a business license must be accompanied by payment of all license fees. An initial business license is valid for two years, which consist of the remainder of the year in which the license is granted plus all of the next calendar year. Business licenses expire on December 31.

(B) Application for renewal of a license and payment of all license fees must be received by the borough before the expiration of the current license. A business license cannot be renewed more than four months before its expiration date. The renewal period is for two years and will expire on December 31.

(C) All information on a business license application is available to the public except for social security numbers and birth dates.

Section 3. Regulatory Provisions.

A person engaging in a business subject to licensing provisions of a regulatory nature must, in addition to filing a regular application required by this chapter, comply with any other or additional regulatory provisions before being entitled to a license.

Section 4. Fee.

The fee for a business license is twenty dollars (\$20) for the biennial licensing period.

Section 5. Borough Mayor Regulation Promulgation Authority.

The Borough Mayor may take any action necessary or appropriate to the implementation of this chapter by promulgation of regulations which may include the adoption of forms. Such regulations or any proceedings adopted by the Mayor are effective at the time indicated.

Section 6. Unlawful Acts.

- (A) It is unlawful for a person to:
- (1) willfully evade the licensing provisions of this chapter;
 - (2) fail to make an application for license or fail to keep or produce any records required hereunder or by regulation;
 - (3) to defraud the borough or evade payment of the fee; or
 - (4) aid or abet another in an attempt to evade payment of the fee.

(B) False Statements.

It is unlawful for an individual, executive officer or agent of a corporation or other legal entity or agent of a person to make or permit to be made for his principal a false reply or false statement in answer to an inquiry from the Mayor or his designee with intent to evade the payment of the fee or to comply with the provisions of this chapter.

Section 7. Penalties.

A person who violates any provision of this chapter, or any regulation adopted pursuant thereto, is subject to a fine in an amount to be established by the Mayor but not to exceed five hundred dollars (\$500).

Section 8. Alaska Statutes; procedures.

In this chapter, unless stated otherwise, the definitions set forth in AS 43.70.110 shall be used, together with the procedures, powers, rules and regulations set out in or adopted by virtue of AS 43.05.040, 43.05.090 and 43.70.020. The Mayor shall be empowered to use such procedures, powers, rules and regulations which are hereby incorporated by reference and have the effect as though fully set out herein, unless or until the Mayor, with assembly approval, adopts specific regulations in place of them conformable with this chapter.

Section 3. Effective Date. This ordinance becomes effective upon adoption by the Borough Assembly and signature of the Mayor.

DATE INTRODUCED: May 11, 2005
FIRST READING: _____
PUBLIC HEARING: _____

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this _____
day of _____, 2005.

BOROUGH MAYOR

BOROUGH CLERK