

ORDINANCE NO. 126

AN ORDINANCE OF THE CITY OF BETHEL, ALASKA, PROVIDING FOR THE LICENSING OF BUSINESSES.

BE IT ORDAINED AND ENACTED BY THE CITY OF BETHEL, ALASKA, AS FOLLOWS:

- SECTION 1. APPLICATION FOR LICENSE: For the privilege of engaging in business in the City of Bethel, a person shall first apply upon forms prescribed by the City Clerk, and obtain a license to do so, and pay the license fee provided in Section 5 of this chapter.
- SECTION 2. RENEWAL: Application for renewal of a license and payment of the initial fee shall be made before February 1 of each year. Any renewal applications made after February 1 of each year shall be subject to a \$100.00 fee for the Business License.
- SECTION 3. DURATION: No license may be issued for a period extending beyond the end of the calendar year in which it is issued.
- SECTION 4. LICENSING PROVISIONS: A person engaging in a business subject to licensing provisions of a regulatory nature must, in addition to filing the regular application required by this chapter, comply with any other regulatory provisions before being entitled to a license.
- SECTION 5. FEE: The license fee for each business shall be ten dollars (\$10.00) for the calendar year or any part thereof.
- SECTION 6. FAILURE TO FILE; PENALTIES: If a person engaged in a business fails to file a business license application or pay the fee as prescribed by this chapter, he shall be subject to seven days in jail.
- SECTION 7. CITY CLERK REGULATIONS: The City Clerk may, with the approval of the Council, promulgate regulations necessary to determine and collect fees imposed and to otherwise enforce the provisions of this chapter.

SECTION 8. UNLAWFUL ATTEMPTS: 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) make false or fraudulent return or false statement with intent to defraud the City or evade payment of the fee; or (4) aid or abet another in an attempt to evade payment of the fee.

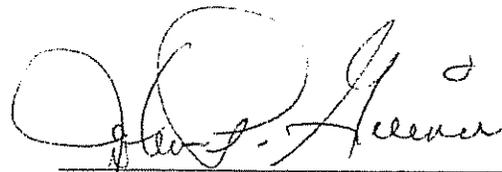
SECETON 9. FALSIFYING RETURNS: It is unlawful for an executive officer or agent of a corporation or agent of a person to make or permit to be made for his principal a false statement in answer to an inquiry from the City Clerk with intent to evade the payment of the fee or to comply with the provisions of this chapter.

SECTION 10. CRIMINAL PROSECUTION; PENALTIES: A person who violates any provision of this ordinance, or any regulation adopted pursuant thereto, is subject to the City's penalty code.

SECTION 11. PROSECUTION; WITNESS IMMUNITY: In a prosecution for a violation under this chapter, no person otherwise competent as a witness is privileged to refuse to testify on the grounds that this testimony may incriminate him. However, no indictment or prosecution shall afterwards be brought against the witness on account of an offense or transaction concerning which he testifies as a witness. In a prosecution under this chapter, the City Attorney may, with the consent of the City Council, compromise the case by accepting from the defendant a sum not less than the fee, penalties and interest provided in Section 1 and costs of such prosecution.

SECTION 12. DEFINITIONS: In this chapter, unless the context otherwise requires, the following words have meanings indicated. (1) "Business" includes all activities or acts, personal, professional, or corporate, engaged in or caused to be engaged in, or following or engaging in a trade, profession, or business, including receipts from advertising services, rental of personal or real property, construction, processing manufacturing, fisheries businesses, liquor licenses, insurance businesses, mining, and coin-operated amusement and gaming machines, but excluding fisherman, calling or vocation, with the object of financial or pecuniary gain, profit or benefit, either direct or indirect, and not exempting subactivities producing marketable commodities or services used or consumed in the main business. The giving or supplying of services as an employee and the furnishing of property, services as regularly engaging in those transactions, does not constitute business under the meaning of this chapter.

PASSED AND APPROVED THE 22nd OF DECEMBER, 1980.

  
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John Guinn, Mayor

ATTEST:

  
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Elsie Jennings, City Clerk

AMENDMENT #1  
TO  
ORDINANCE #126

AN AMENDMENT OF THE CITY OF BETHEL, ALASKA, BUSINESS LICENSE  
ORDINANCE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA,  
THAT ORDINANCE #126 AND BETHEL MUNICIPAL CODE 5.04 EFFECTIVE  
DECEMBER 22, 1980, IS HEREBY AMENDED AS FOLLOWS:

SECTION 5.04.080 FAILURE TO OBTAIN be modified to read:

If a person engaged in a business fails to file a business  
license application or pay the fee as prescribed by this  
chapter he shall be subject to a fine of \$100.00.

This amendment upon passage becomes effective immediately.

PASSED AND APPROVED THIS 28<sup>th</sup> DAY OF January, 1992.

James H. Feaster, III  
James Feaster III  
Mayor

ATTEST:

Jane Elam  
Jane Elam, City Clerk