

ORDINANCE NO. (O)16-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING ORO VALLEY TOWN CODE, CHAPTER 8, BUSINESS REGULATIONS, ARTICLE 8-2, BUSINESS LICENSE TAX, SECTIONS 8-2-1, DEFINITIONS; AND 8-2-6 SCHEDULE; REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on September 27, 1989, the Mayor and Council adopted Ordinance No. (O) 89-21, adopting that certain document entitled “Oro Valley Town Code”; and

WHEREAS, the current Chapter 8, Business Regulations, Article 8-2, Business License Tax Sections 8-2-1, Definitions; and 8-2-6, Schedule, is in need of updating to address licensing requirements for mobile food vendors within the Town of Oro Valley; and

WHEREAS, the Town desires to amend Chapter 8, Business Regulations, Article 8-2, Business License Tax, Sections 8-2-1, Definitions; and 8-2-6, Schedule to address licensing requirements for food vendors.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that the certain document known as “Oro Valley Town Code, Chapter 8, Business Regulations, Article 8-2, Business License Tax, Sections 8-2-1, Definitions; and 8-2-6, Schedule” is amended as follows:

SECTION 1. Chapter 8, Business Regulations, Article 8-2, Business License Tax, Sections 8-2-1, Definitions; and 8-2-6, Schedule is amended to read as shown, with additions being shown in ALL CAPS and deletions being shown in ~~strikethrough text~~:

8-2-1 Definitions

In this article unless the context otherwise requires:

- A. “Business” means all activities or acts including any occupation, trade, calling, or profession, whether personal or corporate.
- B. “Peddler” means a person who sells merchandise from a location other than a permanent location whether as a solicitor, peddler, hawker, salesman or vendor of goods, wares, merchandise, magazines or services.

- C. "Transaction of business" means to practice, carry on, engage in, or operate a business with the object of profit, gain, benefit or advantage, either direct or indirect, whether or not profit is actually generated.
- D. "Public market" means any group or groups of persons brought together by a central organizing body at a single event, or periodically, for the purpose of selling or reselling goods or merchandise for profit at a public location including, but not limited to, farmers' markets and other similar events.
- E. "MOBILE FOOD VENDOR" A VEHICLE/APPERATUS EQUIPPED WITH FACILITIES FOR PREPARING, COOKING AND/OR SELLING FOOD.

8-2-6 Schedule

The license tax set out in the following schedule is hereby established for businesses and shall be paid by all persons who carry on or engage in any such businesses. The license tax set out herein shall become due and be collected commencing at the time business begins within the Town limits and thereafter shall be due prior to January 31st of each year. ~~In the event of a Town-sponsored event, the fee shall be waived.~~

(1) Business License Tax \$80.00

(Any and all businesses, occupations, trades, callings and professions not otherwise specifically listed separately in this schedule)

(2) Liquor License Tax \$80.00

LICENSE REQUIRED: Persons who have been licensed by the State of Arizona to deal in spirituous liquor within the town shall pay to the town an annual license fee.

(2a) Application Processing Fee \$500.00

Applications for liquor licenses, whether for an original or a transfer, shall be made on forms furnished by the State and shall be accompanied by all information furnished to the State with the application to the State Department of Liquor Licensing and Control. Every application shall be accompanied by a five hundred dollar (\$500.00) application processing fee which shall be retained by the Town.

(3) Peddlers License Tax, each \$80.00

Bond required for transient merchants, Section 8-1-12

(4) Public Market License Tax (Operator) \$80.00

(5) Public Market License Tax (Participant)\$20.00

PRIOR TO THE ISSUANCE OF A MOBILE FOOD VENDOR LICENSE, EACH MOBILE FOOD VENDOR OPERATOR SHALL:

- A) FIRST PROVIDE PROOF OF INSPECTION BY GOLDER RANCH FIRE DISTRICT (“GRFD”) WITHIN THE PREVIOUS 6 (SIX) MONTHS FROM THE TIME OF APPLICATION;
 - B) PASS INSPECTION BY GRFD;
 - C) PROVIDE EVIDENCE SUPPLIED BY GRFD THAT THE MOBILE FOOD VENDOR PASSED INSPECTION TO THE TOWN CLERK;
 - D) PROVIDE EVIDENCE OF A VALID PIMA COUNTY HEALTH PERMIT TO THE TOWN CLERK;
 - E) SUBMIT A COMPLETE BUSINESS LICENSE APPLICATION, PAY ALL APPLICABLE BUSINESS LICENSE FEES AND OBTAIN FINAL APPROVAL
- (6) MOBILE FOOD VENDOR LICENSE TAX (BASED IN ORO VALLEY) \$80.00
- (7) MOBILE FOOD VENDOR LICENSE TAX (NOT BASED IN ORO VALLEY) \$20.00

SECTION 2. All Oro Valley ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 7th day of December, 2016.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:



Michael Standish, Town Clerk

Date: 12/9/16

PUBLISH: DAILY TERRITORIAL
DECEMBER 13, 14, 15, 16, 2016

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 12/9/16

POSTED: 12/12/16 - 1/11/17