

ORDINANCE NO. 6230

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE
CHAPTER 14, ARTICLE XIII, BUSINESS LICENSING**

WHEREAS, FGC Sec. 14-602(a) states that business license fees will be adjusted annually based upon the Anchorage Consumer Price Index (CPI-U), but it has not been a past practice of the City Council to do so; and

WHEREAS, it is the sense of the City Council that all business license fees should be set forth in the City Schedule of Fees and Charges for Services; and

WHEREAS, clarification and cleanup of the language in some sections of FGC Chapter 14, Article XIII is in order.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. Fairbanks General Code Chapter 14, Article XIII, Business Licensing is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 14-601. - City business license required.

- (a) By **the** last day of February of each year, every person and other legal entity required to obtain a state business license shall obtain an annual city business license, in addition to any other license required by this Code, if the person or legal entity maintains business premises within the city limits, delivers goods or provides services within the city limits, or otherwise does business in the city limits.
- (b) The city clerk shall provide for a system of issuing city business licenses, and keep records of all holders of general city business licenses. The clerk may propose regulations, subject to approval by the city council, relating to the issuance of city general business licenses.
- (c) The following information **must** ~~shall be required to be~~ provided for issuance of a city business license, and updated annually:
 - (1) The name of the business owner;
 - (2) The name(s) under which the entity does business;
 - (3) The mailing address of the owner;

(4) The mailing and physical address of the business;

(5) A contact telephone number and email address;

~~(6) Reserved;~~

~~(76) A statement of the general nature of the business and the first two digits of the North American Industry Classification System (NAICS) Code Standard Industrial Classification Number (SIC No.);~~

~~(87) A selection shall be made within an appropriate range indicating the total estimated gross receipts received from all business activities for the prior year inside the city limits, (except as provided under section 14-602(b)), which shall be treated as confidential proprietary information by the city and not disclosed to the public or accessed by any city employees who do not have a legitimate work-related need to access the information.~~

(d) No permit required under chapter 10, buildings and building regulations, may be issued except upon the presentation of a business license properly issued in compliance with this section.

(e) No occupational license or permit may be issued under any provision of the City Code except upon the presentation of a business license properly issued in compliance with this section.

Sec. 14-602. - License fee registration.

(a) The annual license registration shall be based on gross receipts from the prior year regardless of the number of physical locations in the city where the business is conducted. The fee schedule shall be adjusted as part of the annual budget estimate by the estimated annual change in the Anchorage Consumer Price Index (CPI-U) with subsequent year adjustment to reflect the actual change and shall be published in the City Schedule of Fees and Charges for Service with fees rounded to the nearest dollar. The minimum license fee shall remain at \$40.00 until further amendment by ordinance.

(b) Any business entity that does not have an established business premises in the Fairbanks North Star Borough but that provides one-time or intermittent contractual products or services within the city must obtain a City of Fairbanks business license prior to delivery of such products or services. The business license fee amount shall be calculated based upon the estimated gross proceeds (receipts) of the products or services provided under each contract.

Sec. 14-603. - Failure to obtain business license.

Any person or other legal entity who violates any of the provisions of this article is subject to a \$50 civil penalty in addition to any amounts due. Any person or other legal entity who fails to comply with the provisions of this article within 60

days of actual notice of non-compliance ~~is~~ violates any of the provisions of this article shall be guilty of a misdemeanor and, exclusive of any civil penalties specifically provided for in this article, shall be punished as provided in F.G.C. section 1-15.

Sec. 14-604. - Exemptions.

The following business owners are exempt from application of F.G.C. 14-601—14-603:

- (a) Those business owners whose only business activity is to ship tangible property or provide intangible services to buyers within the city in response to an order (whether by phone, mail or internet) without the physical presence of any owner, employee or agent in the city.
- (b) Those business owners who are only physically present in the city for short visits (whether at trade shows, special events, sales visits, etc.), so long as their presence is covered by a multi-vendor permit issued under F.G.C. chapter 14, article III, multi-vendor event.
- (c) Even if required by state law to have a state business license, anyone making casual sales within the city, such as "garage" or yard sales.

Section 2. That the effective date of this Ordinance shall be the 1st day of January 2023.



David Pruhs, City Mayor

AYES: Ringstad, Tidwell, Rogers, Sprinkle, Marney, Cleworth
NAYS: None
ABSENT: None
ADOPTED: December 19, 2022

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, MMC, City Clerk



Paul J. Ewers, City Attorney