

ORDINANCE TO AMEND THE GREENSBORO CODE OF ORDINANCES TO INSTITUTE A BUSINESS PERMIT SYSTEM FOR SOLICITORS, PANHANDLERS, PEDDLERS, ITINERANT MERCHANTS, MOBILE FOOD VENDORS, STREET PERFORMERS, AND MASSAGE BUSINESSES AND TO AMEND CHAPTER 13 OF THE GREENSBORO CODE OF ORDINANCES TO REMOVE REFERENCES TO THE PRIVILEGE LICENSE TAX, WITH THE EXCEPTION OF TAXI CABS AND BEER AND WINE SALES, AND INSTITUTE A BUSINESS PERMIT SYSTEM, AND TO AMEND CHAPTER 14.5, CHAPTER 20, AND CHAPTER 26 OF THE GREENSBORO CODE OF ORDINANCES TO REMOVE REFERENCES TO THE PRIVILEGE LICENSE TAX AND REPLACE THEM WITH REFERENCES TO THE BUSINESS PERMIT SYSTEM

WHEREAS, The North Carolina General Assembly eliminated the authority of a city to levy a privilege license tax on businesses, except those specific to beer and wine sales or taxi cabs. This law, GS 160A-211, will become effective for the fiscal year beginning July 1, 2015; and

WHEREAS, Statutory authority under GS 160A-194 allows municipalities to regulate most businesses and professions; and

WHEREAS, Under Greensboro's current privilege license system, key business data is gathered and used in coordination with other City departments and divisions, such as Zoning, Building Inspections, Fire, Police, and also the Guilford County Health Department; and

WHEREAS, Greensboro recognizes the value in maintaining such data and, under the authority granted to it by GS 160A-194, the City of Greensboro will implement a Business Permit system in order to promote public health, safety and welfare, and to monitor solicitors, panhandlers, peddlers, itinerant merchants, mobile food vendors, street performers, and massage businesses after the privilege license tax is repealed; and

WHEREAS, The Business Permit system will be a standardized program enabling solicitors, panhandlers, peddlers, itinerant merchants, mobile food vendors, street performers, and massage businesses to register with the City. Data will be housed in one central location and will be renewed and updated annually. The data will be used to monitor and track businesses in a manner similar to the current privilege license tax system. City staff anticipates the Business Permit system to be a seamless system which allows the City to gather new and updated data online, via mail, or in-person renewal and payment methods; and

WHEREAS, Based on current business activity, the City will oversee approximately 600 Business Permits and 750 Privilege Licenses (Taxicabs and Beer/Wine Sales), annually. There will be no permit fee charged; and

WHEREAS, Instituting the Business Permit system requires an ordinance to amend the Greensboro Code of Ordinances to eliminate references to the privilege license tax and enact a new Article for the Business Permit system; and

WHEREAS, Chapter 13 will be amended to remove all privilege license sections, with the exception of licensing taxi cabs and beer and wine sales, repeal Yard Sales, and combine open-air sales in the new Article V created for Business Permits; and

WHEREAS, Chapter 14.5, Chapter 20, and Chapter 26 will be amended to remove all references to the privilege license and replace them with references to the Business Permit.

NOW THEREFORE BE IT RESOLVED THAT the City of Greensboro, enabled by the State of North Carolina through General Statute 160A-194, does hereby amend the Greensboro Code of Ordinances to institute a business permit system for solicitors, panhandlers, peddlers, itinerant merchants, mobile food vendors, street performers, and massage businesses and amend Chapter 13 to remove references to the Privilege License Tax, with the exception of taxi cabs and beer and wine sales, repeal Yard Sales, and combine open-air sales in the new Article V created for Business Permits, and institute a Business Permit system in Article V, and does hereby amend Chapter 14.5, Chapter 20, and Chapter 26 of the Greensboro Code of Ordinances to remove references to the Privilege License Tax and replace them with references to the Business Permit system.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. Chapter 13 of the Greensboro Code of Ordinances is hereby amended to remove references to the Privilege License Tax, with the exception of taxi cabs and beer and wine sales, repeal Yard Sales, and combine open-air sales in Article V created for Business Permits, and institute a Business Permit system in Article V, and enacted to read as written in Attachment A.

Section 2. Chapter 14.5 of the Greensboro Code of Ordinances is hereby amended to remove references to the Privilege License Tax and replace them with references to the Business Permit system and enacted to read as written in Attachment B.

Section 3. Chapter 20 of the Greensboro Code of Ordinances is hereby amended to remove references to the Privilege License Tax and replace them with references to the Business Permit System and enacted to read as written in Attachment C.

Section 4. Chapter 26 of the Greensboro Code of Ordinances is hereby amended to remove references to the Privilege License Tax and replace them with references to the Business Permit system and enacted to read as written in Attachment D.

Section 5. If any section, phrase, sentence or portion of this ordinance is held void, invalid, unconstitutional or unenforceable for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. This ordinance becomes effective July 1, 2015.