

SHELBY COUNTY
O2016 PG598

COMMONWEALTH OF KENTUCKY
SHELBY COUNTY FISCAL COURT
ORDINANCE NO. 11-7-04, SERIES 2018

AN ORDINANCE ESTABLISHING A GENERAL BUSINESS
CERTIFICATE FEE FOR ANY PERSON OR BUSINESS ENTITY ENGAGED IN
ANY BUSINESS IN SHELBY COUNTY, KENTUCKY

WHEREAS, in recent years numerous business entities have been established or have begun operations within the confines of Shelby County, Kentucky, with the result being increased costs and expenses incurred by the Shelby Fiscal Court and the taxpaying citizens of Shelby County, and

WHEREAS, in an effort to address those increased costs and expenses, Shelby County, Kentucky, through the Shelby County Fiscal Court, has deemed it necessary to establish a general business certificate fee for any person or business entity engaged in any business in Shelby County, Kentucky.

THEREFORE, BE IT ORDAINED by Shelby County, Kentucky, through the Shelby County Fiscal Court, as follows:

SECTION 1. GENERAL BUSINESS CERTIFICATE REQUIRED

(A) Every person or business entity engaged in any business in the county shall be required to apply for, remit \$75.00 and obtain a general business certificate from the county before the commencement of business or in the event of a change of business status. Licensees are required to notify the county of any changes in address, cessation of business, or any other changes which render the information supplied to the county in the certificate application inaccurate.

(B) If the applicant has more than one physical place of business in the county, each business entity located within the county shall be required to have a general business certificate posted at each location.

(C) The general business certificate shall be renewed annually at a cost of \$75.00 per certificate by any person or business entity conducting business within the county. A general business certificate shall not be issued to any person or business entity that has not complied with all provisions of this chapter or all provisions of Chapter 112: Business and Occupational License Fees.

(D) The occupational license fee administrator or its designee shall have the authority to inspect the premises of any person or business entity in the county during regular business hours in order to verify that a general business certificate is posted in a conspicuous place in public view in the place of business.

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(E) If the person or business entity does not have a place of business to post the general business certificate then that person or business entity shall have the general business certificate upon the individual(s) conducting business within the county who shall produce same to the Shelby County Fiscal Court or its designee upon request.

(F) All persons and business entities obligated by this ordinance to obtain a general business certificate shall apply for, remit payment, and receive the general business certificate from the office of the occupational license fee administrator on or before the 15th day of April.

(G) The general business certificate requirement imposed herein shall not apply to persons or business entities engaged in agricultural operations. "Agricultural operations" means any facility for the production of crops, livestock, equine, poultry, livestock products, poultry products, and any generally accepted, reasonable, and prudent method for the operation of a farm to obtain a monetary profit that complies with any applicable laws and administrative regulations, and is performed in a reasonable and prudent manner customary among farm operators.

SECTION 2. SEVERABILITY

Each section and each provision of each section of this chapter are severable, and if any provision, section, paragraph, sentence or part thereof, or the application thereof is held by a court of law to be unconstitutional or invalid for any reason, such holding shall not affect or impair the remainder of this chapter, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof, separately and independently of the rest.

SECTION 3. PENALTY

(A) Failure of a business entity conducting business with the county to obtain and maintain a general business certificate will constitute a class B misdemeanor. Every day that a business entity is in violation will constitute a separate offense.

(B) Any person, owner, corporate officer, director, member, partner or any other individual or entity having an ownership interest in any business entity subject to this ordinance is deemed responsible for insuring that said business entity complies with this ordinance.

INTRODUCED, SECONDED AND GIVEN A FIRST READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 16 day of October, 2018.

INTRODUCED, SECONDED AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal court held on the 7th day of November, 2018.

Dan Ison

DAN ISON
Shelby County Judge/Executive

ATTEST:

Sue Carole Perry
SUE CAROLE PERRY,
Shelby County Clerk