

**CITY OF DAPHNE
ORDINANCE NO. 2011-45**

AN ORDINANCE TO AMEND ORDINANCE NO. 2002-26

WHEREAS, the City Council of the City of Daphne, after due consideration believes that certain revisions to the City of Daphne Business License Ordinance are necessary for the proper administration of said Ordinance; and

WHEREAS, said revisions to the Business License Ordinance will enable the City to more easily enforce the Ordinance in order to benefit the health, safety, and welfare of its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION I: GENERAL PROVISIONS

That Section 2[1] of Ordinance 2002-26, for the purpose of defining “business”, be and is hereby deleted in its entirety and is replaced as follows:

BUSINESS: Any commercial or industrial activity or any exhibition, enterprise, trade, profession, vocation, occupation, or livelihood, including the lease or rental of residential or nonresidential real estate, whether or not carried on for gain or profit, and whether or not engaged in as a principal or as an independent contractor, which is engaged in, or caused to be engaged in, within the city or the police jurisdiction. The term shall include, without limitation, all individuals engaged in the activity and conduct for which state law authorizes or empowers the city to levy and collect a business license.

SECTION II: REPEALER

That any Ordinance, or parts thereof, heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance be and is hereby repealed to the extent of such conflict.

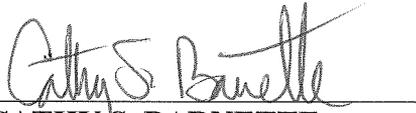
SECTION III: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional 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 hereof.

SECTION IV: EFFECTIVE DATE.

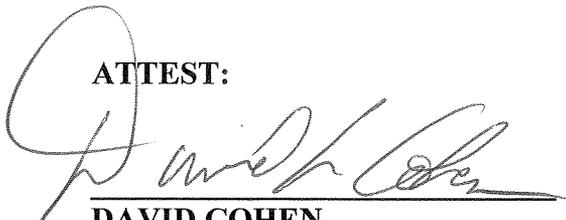
This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 6TH DAY OF JUNE, 2011.


CATHY S. BARNETTE,
CITY COUNCIL PRESIDENT


FRED SMALL,
MAYOR

ATTEST:


DAVID COHEN,
CITY CLERK, MMC