

1 **AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, ADOPTING**
2 **ARTICLE IV, DEPOSITORY FINANCIAL INSTITUTIONS BUSINESS LICENSE TAX**
3 **OF CHAPTER 24, TAXATION, OF THE CODE OF ORDINANCES OF THE CITY OF**
4 **STONECREST, GEORGIA**
5

6 **WHEREAS**, the City of Stonecrest, Georgia Mayor and City Council are authorized by Section
7 1.03(b)(4) of the City Charter to adopt business regulations and levy certain business taxes as
8 authorized by the laws of the State of Georgia; and
9

10 **WHEREAS**, O.C.G.A. § 48-6-93 authorizes municipalities within the state to levy and collect a
11 business license tax from depository financial institutions having an office within their
12 jurisdiction;
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14 **THEREFORE**, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as
15 follows:
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17 **Section 1:** The Code of the City of Stonecrest, Georgia, is hereby amended by adding
18 Article IV, Depository Financial Institutions Business License Tax of Chapter 24, Taxation,
19 that reads as follows:

20 **CHAPTER 24. TAXATION**
21

22 **ARTICLE IV. – DEPOSITORY FINANCIAL INSTITUTIONS BUSINESS LICENSE**
23 **TAX**
24

25 **Sec. 24-61. – Levy; applicability.**

26 An annual business license tax is hereby levied upon all depository financial institutions
27 located within the city at a rate of one-quarter of one percent of the gross receipts of such
28 depository financial institutions. Gross receipts shall mean gross receipts as defined in O.C.G.A.
29 § 48-6-93. Depository financial institutions shall mean state and national banks, state building
30 and loan associations, and federal savings and loan associations.
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32 **Sec. 24-62. – Minimum tax.**

33 The minimum annual amount of business license tax due from any depository financial
34 institution shall be one thousand dollars (\$1,000.00).
35

36 **Sec. 24-63. – Filing of return; payment.**

77 interested, may be given information as to the items included in the measure and amount of
78 unpaid tax, interest and penalties, or amounts of tax, interest and penalties required to be
79 collected.
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81 **Section 2:**

82 1. It is hereby declared to be the intention of the Mayor and City Council that all sections,
83 paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their
84 enactment, believed by the Mayor and City Council to be fully valid, enforceable and
85 constitutional.

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87 2. It is hereby declared to be the intention of the Mayor and City Council that, to the
88 greatest extent allowed by law, each and every section, paragraph, sentence, clause or
89 phrase of this Ordinance is severable from every other section, paragraph, sentence,
90 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the
91 Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph,
92 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
93 section, paragraph, sentence, clause or phrase of this Ordinance.

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95 3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
96 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
97 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
98 the express intent of the Mayor and City Council that such invalidity, unconstitutionality,
99 or unenforceability shall, to the greatest extent allowed by law, not render invalid,
100 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
101 sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed
102 by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
103 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

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105 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith
106 are hereby expressly repealed.

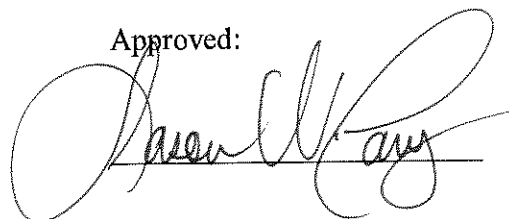
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108 5. The within ordinance shall become effective upon its adoption.

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110 6. [The provisions of this Ordinance shall become and be made part of The Code of the City
111 of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to
112 accomplish such intention.]

113 **SO ORDAINED AND EFFECTIVE** this the 18 day of Decs., 2017.

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Approved:



STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2017- 12-03

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Jason Lary, Sr., Mayor

As to form:

Attest:

Brenda B. James
Brenda James, City Clerk

J. Kurrie, Jr.
Thompson Kurrie, Jr., City Attorney