



# ORDINANCE NO. 467

## City Business License

**AN ORDINANCE OF THE CITY OF MACKAY, CUSTER COUNTY, STATE OF IDAHO; REGULATING BUSINESSES BY REQUIRING A BUSINESS REGISTRATION OR LICENSE FOR THE OPERATION OF BUSINESSES WITHIN THE CITY OF MACKAY, IDAHO; AND PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND FOR SEVERABILITY; AND PROVIDING WHEN SAID ORDINANCE SHALL TAKE EFFECT.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO:

SECTION 1: The City of Mackay does not currently know all of the individuals, organizations, firms, corporations, etc. conducting business within the City of Mackay.

SECTION 2: The City of Mackay is a Resort City which collects a City Sales Tax. Business subject to collection of these taxes must obtain a City Sales Permit.

SECTION 3: The purpose of this Ordinance is to establish a method of identifying and documenting who is conducting business within the City of Mackay; and the type(s) of businesses within the City.

SECTION 4: City of Mackay Ordinance #465 requires any and all vendors selling outside of established store fronts to have a City of Mackay Vendor's License to do business in the City. Sales of some items exempted from requiring a Vendor's License are not exempted from having a City of Mackay Business License.

SECTION 5: It shall be unlawful for any individual, organization, firm, corporation, etc. to offer goods or services for sale or rent without a valid City of Mackay Business License. This Ordinance is applicable to the following:

1. Retail or Wholesale Stores, Convenience Stores, Service/Gas Stations, Restaurants/Cafes/Drive-ins, Bars, Bed and Breakfasts, Home Businesses.
2. Service Providers such as electricians, plumbers, mechanics, carpenters, heating and ventilation technicians, etc., who's business offices are located outside the City of Mackay; but, who come to Mackay to provide these services within the City Limits;
3. Any business that collects and submits Idaho State Sales Tax

SECTION 6: Applicants for a license under this Ordinance shall complete FORM COM-BLC 1-9.21 available from the City Clerk. This form shall be presented to the City Clerk along with the required fee for approval. Fee shall be established by the City Council



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and reviewed annually. FORM COM-BLC 1-9.21 shall be used to renew the license annually.

Application for a City of Mackay Business License shall include name and address of business; owner(s) of the business; description of the business; kinds of goods to be sold; types of sales to be solicited; and/or services to be provided.

SECTION 7: Forms received by the Clerk will be review for approval. The Clerk shall notify the applicant of the results of the review. License shall be issued for a period of one (1) year. If the application is denied, the applicant may appeal the application to the full City Council.

SECTION 8: The license issued to the licensee shall be prominently displayed in the place of business.

SECTION 9: The licensee agrees to abide by the stipulations set forth in this Ordinance, and shall defend, indemnify, and hold blameless the City of Mackay, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees arising out of or in conjunction with the performance of this license.

SECTION 10: Any individual, business, firm, corporation, etc. who shall violate the provisions of this Ordinance shall be guilty of an infraction and upon conviction shall be punished by a fine of one thousand dollars (\$1000.00) plus court costs. Each day of violation shall be considered a separate violation punishable as herein described.

SECTION 11: Business Owners shall have thirty (30) days prior to January 1, 2022 to comply or they will be considered in violation. Businesses established after the passing of this Ordinance shall obtain the license referenced herein prior to opening for business.

SECTION 12: Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions.

SECTION 13: This Ordinance shall be in full force and effective January 1, 2022 upon its passage and publication according to law, the Council dispensing with the rule that ordinances must be read on three different days, all as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MACKAY,  
CUSTER COUNTY, IDAHO, THIS 14<sup>th</sup> DAY OF SEPTEMBER 2021.



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CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO A  
MUNICIPAL CORPORATION OF IDAHO

By: Wayne Olsen  
Wayne C. Olsen, Mayor

ATTEST: Natalie Perez  
Natalie Perez, City Clerk

