

Section ID:  
Section:  
Title: FOURTH AMENDMENT TO PAHRUMP TOWN ORDINANCE  
NO. 35  
Last Revised  
Date: August 24, 2004  
Description:

#### **FOURTH AMENDMENT TO PAHRUMP TOWN ORDINANCE NO. 35**

#### **A FOURTH ACT AMENDING PAHRUMP TOWN ORDINANCE NO. 35 TO ADD ADDITIONAL ENFORCEMENT PROVISIONS; REPEALING ALL PROVISIONS INCONSISTENT HERETO; PROVIDING FOR SEVERABILITY; REPEAL; EFFECTIVE DATE; AND OTHER MATTERS PROPERLY RELATING THERETO**

**WHEREAS**, the Town Board of the unincorporated Town of Pahrump has reviewed the business license enforcement provisions and has determined that additional sections are necessary for adequate enforcement.

**NOW, THEREFORE**, the Town Board of the unincorporated Town of Pahrump, Nye County, Nevada, does hereby ordain as follows:

#### **AMENDING SECTION 35.210(E) AND ADDING SECTIONS 35.230(C) and (D):**

(E) (1 ) Should said payment be more than ten (10) days late, but less than thirty (30) days late, a penalty fee of twenty-five (\$25.00) shall be added to the renewal fee.

(E)(2) Should said payment be thirty-one (31) to sixty (60) days or less late, a penalty fee of fifty (\$50.00) shall be added to the renewal fee.

The Amendment to Pahrump Town Ordinance which added Section 35.230 (C) and (D) stating:

#### **35.260(c) Delinquency, Reinstatement, and Special fees.**

(1) For the purpose of this section only, "due date" is defined as the day on which license renewal fees are due, and is the last day of the current licensing period on all licenses covered in this Ordinance. All licenses for which the fees have not been received within sixty-one (61) days after the due date shall be deemed revoked and the business

must cease operation until the business obtains a valid business license either by reinstatement or approval of a new application.

(2) Any license for which the fees have not been received within sixty-one (61) days of the due date may be reinstated within the current license cycle and with the payment of: (a) all delinquent license fees; and (b) an additional reinstatement penalty of fifty dollars (\$50.00). In addition, all other applicable requirements must be satisfied. If the payment is not received within the license cycle, a new license application is required and all delinquent license fees, including penalties, must be brought current. A business shall not operate until a new license is issued or the delinquent license is reinstated.

(3) In all cases where a business license that is required by this Ordinance has not been obtained before a business is commenced, a penalty of one hundred dollars (\$100.00) shall be imposed and must be received before a business license is issued. Also, licensing fees for all prior licensing cycles for which the business operated without the benefit of licensure must be received before a business license is issued.

(4) Any person making payment for license fees or penalties with a check that is returned to the department due to non-sufficient funds or an account closed status shall pay an augmentation fee of twenty-five dollars along with the outstanding fees and/or penalties.

**35.230(D) Tax collection by civil action.**

Any license tax imposed by this Ordinance shall be deemed a debt due the Town payable by any person who commences, carries on, engages in, or conducts any business, for which a license is required. Such person shall be liable in a civil action to the Town in any court of competent jurisdiction for the recovery of the amount of license tax, penalties and interest imposed by this Ordinance, and for the costs of suit and reasonable attorney's fees.

**SEVERABILITY.** Every section of this Ordinance and Amendment, and every part of every section hereof is hereby declared to be independent of every other section and part of section. The holding of any section or part of section void does not affect the validity of any other section or part.

**EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, adoption, and second publication in a newspaper printed and published within the Town of Pahrump, County of Nye, State of Nevada.

**FOURTH AMENDED BUSINESS LICENSE ORDINANCE**

Proposed on the 13th day of July, 2004

Proposed by Board Member

Passed on the 24th day of August 2004