

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AMEND SECTION 113.01 OF THE LA VISTA MUNICIPAL CODE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN L. POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

An ordinance has been prepared to amend, Section 113.01 Purpose of the La Vista Municipal Code.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

This ordinance would amend Section 113.01 to allow the administrative provisions of Chapter 113 to apply to all types of occupation tax.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 113.01 of the La Vista Municipal Code is amended to read as follows:

§ 113.01 PURPOSE.

For the purpose of raising revenue there is hereby levied an occupation tax upon each and every classification of occupation, business and service carried on within the corporate limits of the City of La Vista, Nebraska as specified and enumerated in this chapter, the city's master fee ordinance, or other city ordinance. An occupation tax levied and collected pursuant to Neb. RS 16-205 shall be imposed in the manner provided in Neb. 18-1208, to the extent applicable. Every person, firm, partnership, limited liability company, corporation association, or other entity carrying on any classification of occupation, business or service specified in this chapter, the city's master fee ordinance, or other city ordinance within the corporate limits of said city shall pay to the City Clerk the sum or sums set forth in this chapter, the city's master fee ordinance, or other city ordinance as a tax upon said occupation or business, to be paid annually on or before the first day of January unless otherwise provided in this chapter, the city's master fee ordinance, or other ordinances of the city. Except as otherwise specified in this chapter, the master fee ordinance or other ordinance of the city, all money so collected shall be paid over forthwith by the City Clerk to the City Treasurer who will credit the same to the General Fund of the city; and said money shall be and remain under the control of the Mayor and City Council of said city and used for such purposes as are permitted in case of other moneys belonging to the General Fund.

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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