

Ordinance No. _____

AN ORDINANCE AMENDING CHAPTER 12, LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, OF THE CODE OF THE CITY OF AUBURN PROVIDING REGULATIONS SPECIFICALLY TO REVOKE, SUSPEND, OR REFUSE TO GRANT A BUSINESS LICENSE

WHEREAS, the City Council desires to update the City's business license Ordinance to establish a process for the revocation of a business license and to set forth the circumstances under which a business license may be revoked.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Auburn, Alabama, as follows:

Section 1. That Chapter 12, Licenses, Taxation, and Miscellaneous Business Regulations, of The Code of the City of Auburn is hereby amended to add the following:

ARTICLE I. General.

Sec. 12-6. Procedure for revocation

- (a) Any lawful license issued to any person to conduct any business shall be subject to revocation by the City Council for the violation by the licensee, his or her agent, servant, or employee of any provision of any ordinance of the City, or the City Code, or any statute of the State relating to the payment of taxes by the business.
- (b) The conditions hereinabove set forth in this article as grounds for the revocation of a license shall also constitute grounds for refusing to renew a license or to grant a new license.
- (c) The City Council shall set a time for hearing on the matter of revoking or refusing to grant or renew a license, provided that such hearing shall not occur until at least sixty (60) days after the date of the initial notice of delinquency; and a notice of such hearing shall be given to the licensee, or the applicant for renewal, as the case may be, at least ten days before the day set for said hearing. At the hearing, the City Council shall hear all evidence offered by any party and all evidence that may be presented bearing upon the question of revocation or the refusal of renewal, as the case may be. The City Council shall render its decision not later than the next regular council meeting.
- (d) Upon revocation of a license or the privilege to obtain or renew a license, the taxpayer or applicant may seek judicial review in accordance with state law.

Section 2. Should any section, provision, or part of this ordinance be declared to be unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other section, provision or part thereof

Section 3. All ordinances or parts of ordinances in all sections of the Code of the City of Auburn in conflict herewith, are the extent of such conflict, hereby repealed.

Section 4. This Ordinance shall be effective upon publication, and shall be codified in the ordinances of the City of Auburn, Alabama.

Adopted and approved by the City Council of the City of Auburn, Alabama, this the 17th day of January, 2023.

Mayor

ATTEST:

City Manager