

MARSHALL COUNTY FISCAL COURT ORDINANCE #89-_____

AN ORDINANCE OF THE FISCAL COURT OF MARSHALL COUNTY, KENTUCKY, RELATING TO THE AMENDMENT OF THE ORDINANCE PASSED BY THE FISCAL COURT ON OCTOBER 20, 1981 WHICH RELATED TO THE IMPOSITION AND PAYMENT OF AN OCCUPATIONAL LICENSE TAX FOR GENERAL CAPITAL OUTLAY PURPOSES; THE AMENDMENT HEREIN HAVING THE EFFECT OF RAISING THE RATE OF SAID TAX FOR A LIMITED DURATION.

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF MARSHALL, COMMONWEALTH OF KENTUCKY THAT:

SECTION I

SECTION II OF THE MARSHALL COUNTY FISCAL COURT, MARSHALL COUNTY, KENTUCKY ORDINANCE RELATING TO AN OCCUPATIONAL LICENSE TAX FIRST READ ON OCTOBER 6, 1981 AND PASSED BY THE SAID FISCAL COURT ON OCTOBER 20, 1981 IS HEREBY AMENDED TO READ AS FOLLOWS:

That on and after January 1, 1990, every person, association, corporation or other entity engaged in any business, trade, occupation or profession in Marshall County shall pay to the administrator, as collecting officer for Marshall County, an annual license fee which shall be based on the said activities performed and shall be measured by one percent (1%) of (a) all salaries, wages, commissions and other compensations earned by every person, resident and non-resident alike, for work done or services performed or rendered in the County; and (b) the net profits of all businesses, trades, professions, or occupations from activities conducted in the County.

Where salaries wages, commissions and other compensations under (a) above are earned for work done or services performed or rendered both within and without the County, said license fee shall be measured by such part of the salaries, wages, commissions and other compensations as is earned as a result of work done or services performed or rendered in the County. Such license fee shall be computed by obtaining the percentage which the compensation for work performed or services rendered within the County bears to the total compensation earned.

The net profits of business and professions from activities conducted in the County under (b) above shall be computed as follows:

(a) Multiply the entire net profit from all sources by a business allocation percentage to be determined by.....

1. Ascertaining the percentage which the gross receipts of the licensee from sales or services rendered within the County bears to the total gross receipts from sales or services rendered wherever made.

2. Ascertaining the percentage which the wages, salaries and other personal service compensations for the period covered by the report for services performed or rendered within the County bears to the total wages, salaries and personal service compensation for such period of all licensee's employees within and without the County.

3. Adding together the percentages determines in accordance with subparagraphs one (1) and two (2) above, and dividing the total so obtained by two (2), or by the number of factors actually used.


SECTION II

The aforementioned Ordinance is further Amended to add the following
Section Sixteen:

The tax rate and measurement provided for herein of one (1%) per cent of (a) all salaries, wages, commissions and other compensations earned by every person, resident and non-resident alike, for work done or services performed or rendered in the County: and (b) the net profits of all businesses, trades, professions, or occupations from activities conducted in the County shall be the measure for a period of seven years provided, however, that with no further action necessary by the Fiscal Court the said rate shall be reduced to one-half of one percent on and after January 1, 1997.

SECTION III

This Ordinance shall take effect immediately upon passage by the Marshall County Fiscal Court upon second reading and publication in the Marshall County Tribune-Courier newspaper.



MIKE MILLER
MARSHALL COUNTY JUDGE/EXECUTIVE

ATTEST:



JAMES R. ENGLISH
MARSHALL COUNTY COURT CLERK

First reading held by the Marshall County Fiscal Court on December 5, 1989, and the Ordinance passed on December 19, 1989, after publication conforming to the requirements of KRS Chapter 424 with 4 voting Aye and 0 voting No.