

CITY OF MOLENA

(18) 1/3

ORDINANCE NO. 18

AN ORDINANCE OF THE CITY OF MOLENA TO IMPOSE LICENSE FEES ON INSURERS CONDUCTING BUSINESS WITHIN THE CITY OF MOLENA: TO IMPOSE A GROSS PREMIUMS TAX ON INSURERS OPERATING WITHIN SAID CITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Council of the City of Molena, and it is hereby ordained by authority thereof:

Section 1. Insurer License Fees

There is hereby levied for the year 1995 and for each year thereafter an annual license fee upon each insurer doing business within the City of Molena in the amount of Ten Dollars (\$10). For each separate business location in excess of one not covered by Section 2, which is operating on behalf of such insurers with the City of Molena, there is hereby levied a license fee in the amount of Ten Dollars (\$10). For the purposes of this ordinance, the term "insurer" means a company which is authorized to transact business in the CLASSES OF INSURANCE DESIGNATED IN O.C.G.A. 33-3-5.

Section 2. License Fee for Insurers Insuring Certain Risks at Additional Business Locations.

For each separate business location, not otherwise subject to a license fee, hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales, offers, solicits or takes application for insurance through a licensed agent of an insurance company, said insurer shall pay an additional license fee of \$10 per location for the year 1995 and for each year thereafter.

Section 3. Insurance Agency License Fee; Independent Insurance Agencies, Brokers, etc. not Otherwise Licensed.

There is hereby levied for the year 1995 and for each year thereafter an annual license fee upon independent agencies and brokers for each separate business location from which an insurance business is conducted and which is not subject to the company license fee imposed by Section 1 hereof, in the amount of Ten Dollars (\$10) for each location within the City of Molena.

Section 4. Gross Premiums Tax Imposed on Life Insurance.

There is hereby levied for the year 1995 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness insurance within the City of Molena in an amount equal to one percent (1%) of the gross direct premiums received during the preceding calendar year in accordance with O.C.G.A. 33-8-8.1. Gross direct premiums as used in this section are in addition to the license fees imposed by Section 1 of this ordinance.

Section 5. Gross Premiums Tax, All Other Insurers

There is hereby levied for the year 1995 and for each year thereafter an annual tax upon each insurer, other than an insurer transacting business in the class of insurance designated in subsection 1 of O.C.G.A. 33-3-5, doing business within the City of Molena in an amount equal to two and one-half percent (2.5%) of the gross direct premiums received during the preceding calendar year, in accordance with O.C.G.A. 33-9-9.2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G. A. 33-8-8.2(a).

Section 6. Due Date for License Fees.

License fees imposed in Sections 1, 2, and 3 of this ordinance shall be due and payable on the 1st day of 1995 and on the first day of each subsequent year.

Section 7. Administrative Provisions.

The City Clerk is hereby directed to forward a duly certified copy of the ordinance to the Insurance Commissioner of the State of Georgia within 45 days of its enactment.

Section 8. Effective Date.

This ordinance shall become effective January 1, 1995.

Section 9. Severability.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of Molena that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 10. Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

/s/ _____
MAYOR, CITY OF MOLENA

/s/ _____
CLERK, CITY OF MOLENA

First reading: 10/10/94_____

Adopted at
second reading: 11/1/94_____