

TOWN OF MITCHELL

AN ORDINANCE to impose license fees on insurers conducting business within the Town of Mitchell; 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 Town of Mitchell, and it is hereby ordained by authority thereof:

Section 1. Insurer License Fees

There is hereby levied for the year 1993 and for each year thereafter an annual license fee upon each insurer doing business within the Town of Mitchell in the amount of Fifteen Dollars (\$15.00). For each separate business location in excess of one not covered by Section 2, which is operating on behalf of such insurers within the Town of Mitchell, there is hereby levied a license fee in the amount of Fifteen Dollars (\$15.00). 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 D.C.G.A. Sec. 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 insurer for insurance said insurer shall pay an additional license fee of Ten Dollars (\$10.00) per location for the year 1993 and for each year thereafter.

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

There is hereby levied for the year 1993 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 in Section 1 hereof, in the amount of Twenty Dollars (\$20.00) for each location within the Town of Mitchell.

Section 4. Gross Premiums Tax Imposed on Life Insurers

There is hereby levied for the year 1993 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 Town of Mitchell 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. Sec. 33-8-8.1. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. Sec. 33-8-4. The premium tax levied by this section is 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 1993 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. Sec. 33-3-5, doing business within the Town of Mitchell

an amount equal to two and one-half (2.5%) of the gross direct premiums received during the preceding calendar year, in accordance with O.C.G.A. Sec. 33-8-8.2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. Sec. 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 first day of 1993 and on the first day of each subsequent year.

#### Section 7. Administrative Provisions

The Town Clerk is hereby directed to forward a duly certified copy of this 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, 1993.

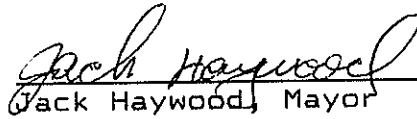
#### Section 9. Severability

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the Town Council of the Town of Mitchell 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.

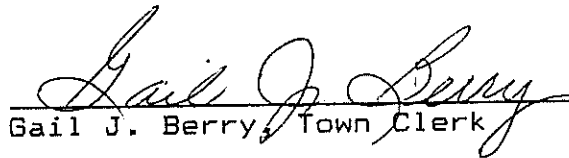
Section 10. Repealer

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

ORDAINED this 2nd day of November, 1992, by the Mayor and Council of the Town of Mitchell, Georgia.

  
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Jack Haywood, Mayor

ATTEST:

  
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Gail J. Berry, Town Clerk

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the Town of Mitchell adopted November 2, 1992.

  
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Gail J. Berry, Town Clerk