

FIRST READING	6/20/2011
PUBLISHED	6/1 & 6/8/2011 6/22 & 6/29/2011
SECOND READING & PASSED	7/11/2011

## **ORDINANCE**

An ordinance to impose license fees on insurers conducting business within the City of Dawsonville, Georgia; to impose a gross premiums tax on insurers operating within the State of Georgia; to provide an effective date; to repeal conflicting ordinances; and other purposes.

Be it ordained by the Mayor and Council of the City of Dawsonville, Georgia; and it is hereby ordained by authority thereof:

### **SECTION 1. INSURERS LICENSE FEES**

There is hereby levied for the year 2012 as determined by the population of the city and for each year thereafter an annual license fee upon each insurer doing business within the City of Dawsonville, Georgia in the amount of forty dollars (\$40.00). For each separate business location in excess of one not covered by Section 2, which is operating on behalf of such insurers within the City of Dawsonville, Georgia, there is hereby levied a license fee in the amount of forty dollars (\$40.00). For the purpose of this ordinance, the term "insurer" means a company which is authorized to transact business in any of the classes of insurance designated in O.C.G.A. Sec. 33-3-5.

### **SECTION 2. LICENSE FEES 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 fourteen dollars (\$14.00) per location for the year 2012 and for each year thereafter.

### **SECTION 3. GROSS PREMIUMS TAX IMPOSED ON LIFE INSURERS**

There is hereby levied for the year 2012 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 State of Georgia 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 4. GROSS PREMIUMS TAX, ALL OTHER INSURERS**

There is hereby levied for the year 2012 and for each year thereafter an annual tax based solely upon gross direct premiums 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 State of Georgia 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. Section 33-8-8-2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. 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. DUE DATE FOR LICENSE FEES**

License fees imposed in Section 1 and 2 of this ordinance shall be due and payable on the first day of 2012 and on the first date of each subsequent year.

#### **SECTION 6. ADMINISTRATIVE PROVISIONS**

The City 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 7. EFFECTIVE DATE**

This ordinance shall become effective January 1, 2012.

#### **SECTION 8. SEVERABILITY**

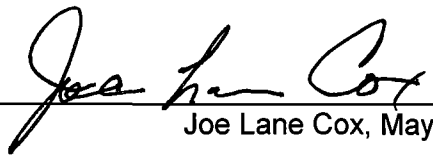
In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of Dawsonville, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which 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.

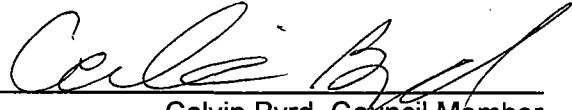
#### **SECTION 9. REPEALER**

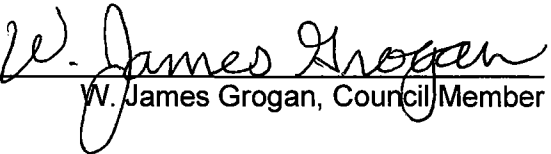
All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

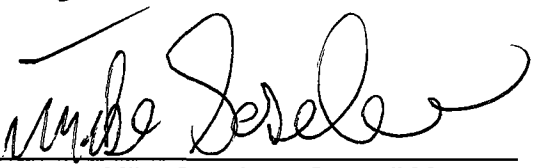
Ordained this 11<sup>th</sup> day of July, 2011 by the Mayor and Council of the City of Dawsonville, Georgia.

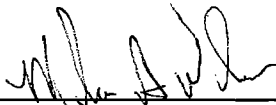
CITY OF DAWSONVILLE

By:   
Joe Lane Cox, Mayor

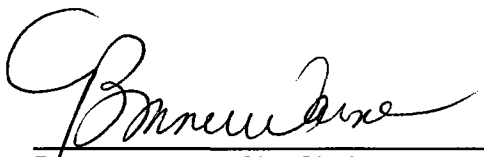
  
Calvin Byrd, Council Member

  
W. James Grogan, Council Member

  
Mike Sosebee, Council Member

  
Mike Wilson, Council Member

ATTESTED TO BY:

  
Bonnie Warne, City Clerk

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the City of Dawsonville, Georgia adopted on the 11<sup>th</sup> day of July, 2011