

2012 -- H 8115

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LC02518
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO TOWNS AND CITIES - SMITHFIELD BUSINESS REGULATION

Introduced By: Representatives Winfield, and Petrarca

Date Introduced: May 02, 2012

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-2-31.3 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:

3 **45-2-31.3. Business registration fee -- Town of Smithfield.** -- (a) Unless otherwise
4 provided herein, the owner and operator of each ~~At~~ wholesale, retail, commercial, professional
5 service or manufacturing businesses, whether sole proprietorships, partnership, corporations or
6 any business entity, shall register their business, ~~company, trade or office~~ situated in the town of
7 Smithfield with the ~~town-clerk~~ tax assessor of the town of Smithfield. Each registration shall
8 contain the name of the ~~firm-or~~ business, the physical location of the business, the name of the
9 owner(s) ~~or~~ and operator(s) of the ~~firm-or~~ business, the type of business to be conducted, and
10 other basic information, as required by the tax collector.

11 (b) There shall be a fee for each registration and for each renewal thereof. The
12 registration fee shall be ~~five (\$5.00)~~ ten (\$10.00) dollars. It shall be unlawful for a person to own
13 or operate a business described herein in the town of Smithfield without a registration certificate
14 issued hereunder.

15 (c) Upon registration of a business, a registration certificate shall be issued to the
16 registrant by the tax assessor. No other business of the same trade name shall be allowed to
17 register once a certificate of registration has been issued without the approval of the prior
18 registrant in writing. Every registration certificate shall expire the 31st day in December and shall
19 be renewed annually upon payment of the required fee. No certificate shall be issued or renewed

1 if the business fails to provide proof from the tax collector that all municipal taxes assessed to the
2 business, including municipal taxes assessed to any prior business owned or operated by one or
3 more of the principals of the registrant at the same physical location, have been paid to date.
4 Every certificate of registration shall be kept in a conspicuous location on the premises of each
5 business establishment.

6 (d) Any business required to obtain a liquor, victualling or any other license to operate
7 under any other section of the general laws, a condition of which is the prior payment of
8 Smithfield municipal taxes, shall be exempt from the requirements of this statute.

9 (e) Any person, whether as principal, agent, employee, or otherwise, who violates any of
10 the provisions of this chapter, shall be fined not to exceed twenty-five dollars (\$25.00) for each
11 day the violation continues. The Rhode Island district court and the Smithfield municipal court
12 shall have concurrent jurisdiction to enforce the provisions of this statute. In addition to imposing
13 the fines provided for herein, the court may also order closure of any business described herein
14 until a registration certificate is obtained. ~~Any fine imposed under this statute and/or the~~
15 ~~ordinance promulgated by the town council pursuant to this section may be appealed to the~~
16 ~~Smithfield municipal court.~~ The fines shall inure to the town.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO TOWNS AND CITIES - SMITHFIELD BUSINESS REGULATION

1 This act would increase the business registration fee in the town of Smithfield to ten
2 dollars (\$10.00) and would impose a twenty-five dollar (\$25.00) a day fine for operating an
3 unregistered business.

4 This act would take effect upon passage.

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