

## HAILEY ORDINANCE NO. 1051

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, REVISING CHAPTER 5.02 OF THE HAILEY MUNICIPAL CODE BY AMENDING SECTION 5.02.010 TO REVISE THE DEFINITION OF "BUSINESS" OR "OCCUPATION"; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to amend the definition of "business" or "occupation" to exempt home occupations from obtaining a business license; and

WHEREAS, the Mayor and City Council find that such an amendment will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 5.02.010 of the Hailey Municipal Code is amended by the addition of the underlined language and by the deletion of the stricken language, as follows:

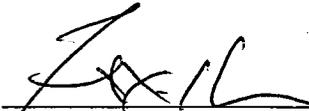
"Business" or "occupation" means all activities, trades, and pursuits conducted or engaged in for profit, including without limitation, wholesale businesses, retail businesses, and personal service businesses and professions, ~~and businesses conducted as home occupations~~ in any and all situations where suppliers, vendors, customers, clients, and/or members of the general public visit or frequent the premises where the business or occupation is conducted, but shall not mean home occupations as defined by the Hailey Zoning Ordinance, Hailey Ordinance No. 532, as amended.

Section 2. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 3. Repealer Clause. All ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL** and approved by the Mayor this 22<sup>nd</sup> day of March, 2010.

  
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Fritz Haemmerle, Council President  
City of Hailey

ATTEST:

  
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Mary Cone, City Clerk



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