

MARANA ORDINANCE NO. 2024.021

RELATING TO BUSINESS REGULATIONS; REVISING MARANA TOWN CODE TITLE 9 (BUSINESS REGULATIONS), CHAPTER 9-2 (BUSINESS LICENSES), SECTION 9-2-2 (EXEMPTIONS; DOCUMENTATION) TO PROVIDE THAT YOUTH BUSINESSES, AS DEFINED IN ARIZONA STATE LAW, ARE EXEMPT FROM BUSINESS LICENSING REQUIREMENTS; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Town Council is authorized by A.R.S. § 9-240 to authorize the issuance of licenses and to direct the manner of issuing licenses in the Town; and

WHEREAS the 56<sup>th</sup> Arizona state legislature adopted Arizona Revised Statutes (A.R.S.) §9-500.50 which, among other items, provides that a municipality may not require any type of license or permit for a business that is both: 1) operated by a person who is under 19 years old; and 2) operated only occasionally; and

WHEREAS the Mayor and Council of the Town of Marana find that revising MTC Chapter 9-2-2 as set forth in this ordinance is in the best interests of the Town and its residents.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 9 (Business Regulations), chapter 9-2 (Business Licenses), section 9-2-2 (Exemptions; documentation) is hereby amended as follows (with additions shown with double underlining):

**9-2-2 Exemptions; documentation**

A. The provisions of this chapter shall not apply to:

1. Any person engaging in any business exempted from licensing by the constitution or applicable statutes of the United States or of the state of Arizona.
2. A federally exempt organization, governmental entity, or public educational entity.
3. Casual activities or sales.
4. Residential real property rental.
5. Any business that is operated by a person who is under 19 years old and operated only occasionally.

B. Any person claiming an exemption from the licensing requirement pursuant to subparagraphs A.1 or A.2 of this section shall file a signed statement with the license inspector stating the facts upon which exemption is claimed. The license inspector shall file the signed statement in lieu of issuing a license to such person. If the license inspector subsequently obtains information that the person is not entitled to the exemption, the license inspector may revoke the person's exempt status after giving the person notice and a reasonable opportunity for a hearing.

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance is effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 15th day of October 2024.



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Mayor Ed Honea

ATTEST:



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David L. Udall, Town Clerk

APPROVED AS TO FORM:



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Jane Fairall, Town Attorney

