

ADOPTED

MAY 12 1975

BOARD OF SUPERVISORS
ORDINANCE NO. 16A-2 JAMES CITY COUNTY,
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 9-47, CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS, BY AMENDING SUBSECTION (C), TRAINED ANIMAL SHOWS AND SUBSECTION (D), BOND, AND ADDING A NEW SECTION, SECTION 9-47.1, SAME - SPONSORED BY NONPROFIT ORGANIZATIONS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses and Activities, Section 9-47, Carnivals, Circuses and Trained Animal Shows, be and the same is, hereby, amended and reordained by amending Subsection (c), Trained Animal Shows, and Subsection (d), Bond, and adding a new section, Section 9-47.1, Same - Sponsored by Nonprofit Organizations, to read as follows:

CHAPTER 9

Licenses

Article II. Specific Businesses and Activities.

Section 9-47. Carnivals, circuses and trained animal shows.

- (a) Carnivals. Every person who exhibits performances in a carnival as defined in section 58-277 of the Code of Virginia, in this county, shall pay a license tax of one thousand dollars for each week or part thereof that such carnival exhibits in the county.
- (b) Circuses. Every person who exhibits performances of a circus or circuses and menagerie or wild west show in this county, shall pay a license tax of one hundred dollars per day that such circus exhibits in the county.
- ~~(c) Trained animal shows. Every person who shall exhibit performances of trained animal shows in this county shall pay a license tax of fifty dollars per day that such trained animal show shall exhibit in the county.~~
- (c) Trained Animal Shows - Local. Every person, firm or corporation that is in the business of exhibiting performances of trained animal shows in this county and that has a permanent place of business within the county shall pay a license tax of two hundred dollars per year that such trained animal shows shall exhibit in the county.
- (d) Same - Nonlocal. Every person, firm or corporation that is in the business of exhibiting performances of trained animal shows without a permanent place of business within the county shall pay a license tax of fifty dollars per day that such trained animal show shall exhibit in the county.
- ~~(d) Bond. Each person who exhibits performances as described in this section shall, before beginning operation in this county, post a surety bond in the amount of one thousand dollars, which bond shall assure faithful compliance by the licensee with all of the laws of the county pertaining to revenue and regulations.~~
- (e) Bond. Each person firm or corporation that exhibits performances as described in this section without maintaining a permanent place of business within the county shall, before beginning operation in this county, post a surety bond in the amount of one thousand dollars, which bond shall assure faithful compliance by the licensee with all of the laws of the county pertaining to revenue and regulation.

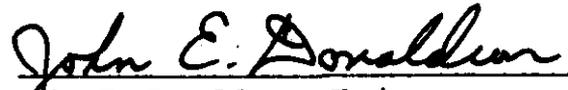
Section 9-47.1. Same - Sponsored by nonprofit organizations.

No license tax shall be assessed or charged for any activity set forth in Section 9-47 provided such activity is sponsored, supervised and controlled by a nonprofit organization, and provided further that such organization shall first obtain a license for the privilege of doing business in the county.

No license shall be issued under this section until the County Administrator has first made or caused to be made an investigation of the organization involved and the nature of the sponsorship, supervision and control of the show or amusement and the County Administrator is satisfied that:

- 1) The organization is in fact a bona fide nonprofit organization not authorized to distribute its income to its members by charter, constitution or bylaws.
- 2) The show is under the direct sponsorship, supervision and control of the nonprofit organization.
- 3) If any person, firm or corporation connected with, pertaining to or in any manner involved with the activity involved herein receives compensation of any nature for services rendered, such compensation must be paid directly by the nonprofit organization or an affiliate organization of which it is a member.
- 4) No arrangement exists for sharing the profits, net income or gross receipts from such show with any person, firm or corporation; provided however, such profits may be shared with either or both of the following:
 - (a) an affiliated organization of which the nonprofit organization is a member,
 - (b) a property owner providing property upon which such show will be conducted,

This ordinance shall be in full force and effect from the day of its adoption.


John E. Donaldson, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


Thomas R. McCann, Jr.
Clerk to the Board

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