

**An Ordinance to amend the City's business license ordinance, Ordinance No. 1842, as previously amended, to exempt persons offering parking spaces on private property for rental on Auburn University football home game days from the requirement to obtain a business license.**

**Be it ordained** by the City Council of the City of Auburn, Alabama, as follows:

**Section 1.** (a) That Section 4.2 of Ordinance 1842 is amended to add the following paragraph:

- (e) Any person offering parking spaces on private property for rental on Auburn University football home game days shall be exempt from the requirement to obtain a business license, provided that such person owns the private property on which parking space is being offered for rent; or, if the person offering parking spaces for rent on Auburn University football home game days is not the owner of the private property on which parking spaces are to be offered for rent, such person must first obtain written permission from the property owner to use the private property to provide parking spaces for rent on Auburn University football home game days. This exemption is applicable only to natural persons; any firm, partnership, limited liability company, corporation, organization, association, membership, cooperative, agency, group or other organization, entity or association is subject to the provisions of this Ordinance requiring the submission of an annual business license application and remittance of an annual business license fee; except that, as provided in Section 2.5 of this Ordinance, any enterprise entered into with the primary purpose to pursue social, charitable or other benevolent activities and that is classified as a tax-exempt organization under applicable provisions of the United States Internal Revenue Code or the regulations thereunder, shall be exempt from the requirement to obtain a business license for the activity of offering parking spaces on private property for rental on Auburn University football home game days.

**Section 2.** All other provisions and sections of Ordinance 1842, not previously amended, shall remain in full force and effect.

**Section 3.** The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof or the application thereof to any employee or licensee or class of persons shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of the ordinance, it being legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof, separately and independently of each other.

**Section 4.** This Ordinance shall be effective immediately and shall be published as required by law.

**Adopted and approved** by the City Council of the City of Auburn, Alabama, this the 6<sup>th</sup> day of September, 2005.

  
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Mayor

ATTEST:

  
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City Manager