

**CITY OF GUSTAVUS, ALASKA
ORDINANCE FY17-05**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE
AMENDMENT OF CITY ORDINANCE TITLE 4,
CHAPTER 4.16.020 DEFINITIONS**

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

- Section 1. Classification. This ordinance is of general and permanent nature and shall become a part of the City of Gustavus Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and its application to other persons, or circumstances shall not be affected thereby.
- Section 3. Enactment. Now therefore, it is enacted by the Gustavus City Council that **TITLE 4, CHAPTER 4.16.020** be amended as follows: **Bold and underlined** items are additions.

Chapter 4.16.020 – Definitions

Buyer: Includes, without limiting the scope thereof, every consumer.

City: The City of Gustavus, Alaska, or the area within the territorial limits of the City of Gustavus, Alaska.

City Council: The Gustavus City Council or the Gustavus City Council's designees.

Fish box: A container of fish and/or seafood that has been caught or taken under the services of a commercial sport fishing charter service **and any self-guided charter service** conducting business in the City of Gustavus that is processed and/or packaged in the City of Gustavus.

Fish charter: A fish charter is any boat trip for hire during which fishing takes place. Included are all trips that take place in whole or in part within the city, or utilize city infrastructure, or begin or end in the city, regardless of the buyer's place of residence and regardless of where the majority of the charter is conducted. **This also includes "bare boat" charters and/or self-guided trips.**

Flat-rate: A per-unit assessment that is separate from and not including sales or service taxes.

Include and including: "By way of illustration only" and shall not be interpreted as a limitation except where expressly so provided.

May: Permissive.

Mayor: The city mayor or his/her authorized designee.

Must and shall: Each is mandatory.

Packaged: Contained, protected, and preserved for transport and/or storage and/or use.

Person: An individual natural person.

Process: A procedure, method, or system for altering, preparing, or refining a product.

Retail sale: Any sale of real or tangible personal property including barter, credit, installment, and conditional sales for any purpose other than resale in the regular course of business. The delivery of goods in the city by a seller whose principal place of business is outside the city to a buyer or consumer is a retail sale made within the city if such retailer maintains any office, distribution, or sales house, warehouse or any other place of business, or solicits business or received orders through any agent, salesman, or other type of representation within the city.

Sale for resale: The sale of tangible personal property to a buyer whose principal business is the resale of the property whether in the same or altered form.

Seafood processor: For purpose of the fish box flat-rate tax, a seafood processor is a person and/or business who prepares fish/seafood for transport and/or storage and/or use by one, some or all of the following: eviscerate ("gut"), skin, cut, fillet, freeze, smoke, and/or package.

Seller: Every person, firm, corporation or other legal entity making retail sales to a buyer or consumer, renting property or performing services for consideration whether acting as principal or using the services of an agent or broker.

Selling price and price: The gross amount of a transaction between a buyer and a seller.

Services: All services of every manner and description that are performed or furnished for consideration whether in conjunction with the sale of goods or not, but does not include services rendered by an employee to an employer. All retail services by a seller within the city of services to be provided or performed in whole or in part within the city, or utilize city infrastructure regardless of the buyer's place of residence, or buyer's physical location upon acceptance of the offer, or exchange of consideration.

State: State of Alaska.

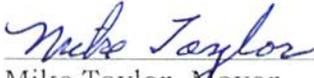
Sticker: A city-authorized, dated, numbered, self-adhesive label approved by the Gustavus City Council.

Section 4. Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

Date Introduced: August 8, 2016

Date of Public Hearing: September 19, 2016

PASSED and **APPROVED** by the Gustavus City Council this 19th day of September, 2016.



Mike Taylor, Mayor



Attest: Loci Ewing, City Clerk