

Police Jurisdiction (PJ), Definition and Rate of

Not applicable in Newville.

Penalty and Interest, Rate of

Failure to purchase a license can be punishable by a fine not to exceed the sum of five hundred dollars (\$500.00).

All licenses not paid within thirty (30) days from the date they fall due (January 1st) will increase by a 15% penalty due February 1st plus interest at the current state interest rate. An additional 15% penalty will be due March 2nd plus interest at the current state interest rate per month thereafter.

New Business Penalty: In the case of persons who began business on or after the first day of the calendar year, the license fee for such “new business” shall be increased by fifteen (15%) percent for the first fifteen (15) days they shall be delinquent, and shall be measured by an additional fifteen (15%) percent for a delinquency of forty-five (45) days or more.

Posting of License

Every license shall be posted in a conspicuous place, where said business, trade or occupation is carried on, and the holder of the license shall immediately show same to the designee of the municipality upon being requested so to do.

Transfer of License information

No license shall be transferred except with the consent of the council or other governing body of the municipality or of the director of finance or other chief revenue officer or his or her designee, and no license shall be transferred to reflect a physical change of address of the taxpayer within the municipality more than once during a license year and never from one taxpayer to another. Provided that a mere change in the name or ownership of a taxpayer that is a corporation, partnership, limited liability company or other form of legal entity now or hereafter recognized by the laws of Alabama shall not constitute a transfer for purposes of this chapter, unless (1) the change requires the taxpayer to obtain a new federal employer identification number or Department of Revenue taxpayer identification number or (2), in the discretion of the municipality, the subject license is one for the sale of alcoholic beverages. Nothing in this section shall prohibit a municipality from requiring a new business license application and approval for an alcoholic beverage license.

Type of License

Gross-based licenses require the gross receipts to be provided. See Gross Receipts definition for more information. Unit-based licenses require the number of units (employees, vehicles, rooms, agents, days, etc.) to be provided. Flat-based fees have the rates indicated. Failure to provide the required information will delay the issuance of the license.

Zoning

If a business intends to maintain a physical location within the municipality, there are normally zoning and building code approvals required prior to the issuance of a license. In certain instances, a business may simply be required to register with the municipality to create a mechanism for the reporting and payment of any tax liabilities. Contact the municipality for any zoning, building code and/or tax liability requirements. The completion and submission of the form does not guarantee the approval or subsequent issuance of a license to do business. Any prerequisites for a particular type and location of the business must be satisfied prior to licensing.

Questions?

All questions regarding the business license renewal process should be directed to Avenu.

Website: www.avenuinsights.com
Email: businesslicensesupport@avenuinsights.com
Phone: 800.556.7274

Free, Easy Online Filing available at <https://rds.bizlicenseonline.com>.

Internal no.	Classification/Business Description including Certification information	For Calculation Information See Schedule
111998	Farming and Crop Production – agriculture, crop production, nursery, fruit, growers	F
112990	Animal Production – dairy, cattle, ranching, sheep, chickens, poultry	F
113110	Forestry – logging, forestry, timber track operations, timber mgt	D
114119	Fishing & hunting – hunting and trapping, finfish, shellfish, supplies	E
115114	Agriculture support – cotton gins, farm mgt, post-harvest activities	F
211111	Oil and gas extraction – natural gas liquid extraction, crude extraction	C
212299	Mining - (except for oil and gas) all related mining activities	C
213112	Mining support services – for oil and gas mining activities, oil/gas wells	C
221122	Utilities – electric power or light company	G
221210	Utilities – natural gas company	G
221310	Utilities – water, sewage treatment, steam, and other	G
236220	Contractors – <u>general contractors</u> , comm. building, residential, subdivisions Must Provide Board Certification: Alabama Licensing Board for General Contractors/Home Builders Licensure Board	E
237990	Contractors – <u>heavy construction</u> , highway, bridge, street, water, sewer	D
237210	Developers, Subdividers – except cemeteries	E
238220	Contractors – <u>specialty trade</u> – plumbing Must Provide Board Certification: State of Alabama Plumbers and Gas Fitters Examining Board	E
238210	Contractors – <u>specialty trade</u> – electrical contractors Must Provide Board Certification: Alabama Electrical Contractors Board	E
238221	Contractors – <u>specialty trade</u> – heating & air conditioning; mechanical Must Provide Board Certification: Alabama Board of Heating & Air Conditioning & Refrigeration Contractors	E
238110	Contractors – <u>specialty trade</u> – water well drilling & irrigation	E
238211	Contractors – <u>specialty trade</u> – security systems	E
238111	Contractors – <u>specialty trade</u> – not otherwise classified in this table	E
311991	Food manufacturing – meat, seafood, grain, fruit, dairy, animal, poultry processing	F
311813	Food manufacturing – bakeries, baking on premises and retail sale not for immediate consumption	F
312212	Beverage manufacturing – all types of soft drinks, bottled water, breweries, ice	E
313112	Textile manufacturing – fabric, yarn, carpet, canvas, rope, twine, fabric mills	E
314129	Other manufacturing – mill operations not covered in 313, rugs, linen, curtains	E
315999	Apparel manufacturing – women, men, children, hosiery, lingerie outerwear, accessories	D
316993	Leather and allied products manufacturing – shoes, luggage, handbag, related products, all footwear	D

321999	Wood manufacturing – sawmills, wood preservation, veneer, trusses, millwork	F
322129	Paper manufacturing – pulp, paper, and converted products, stationary, tubes, cores	E
323117	Printing – screen, quick, digital, books, lithographic, handbills, comm.	D
324199	Petroleum and coal manufacturing – asphalt, grease, roofing, paving products	C
325998	Chemical manufacturing – of fertilizer, wood, pesticide, paint, soap, and resin	C
326291	Plastic & rubber manufacturing – tires, pipe, hoses, belts, bottles, sheet, wrap, film	D
327331	Nonmetallic manufacturing – clay, glass, cement, lime, pottery, ceramic, brick, tile	C
331521	Primary metal manufacturing – iron, steel, aluminum, wire, copper, foundries	C
332999	Metal fabrication – cutlery, structural, ornamental, machine shops	D
333990	Machinery manufacturing – office machinery, industrial, engines, farm, HVAC	C
334419	Computer & electronic manufacturing – audio, video, circuit boards, peripherals	C
335112	Appliance manufacturing – small appliance, lighting, electrical, battery, freezer	C
336112	Transportation manufacturing – manufacturing auto, truck, trailer, motor home, boat, ship, and motorcycle	D
337129	Furniture manufacturing – cabinets, office, household, beds, kitchen	C
339999	Miscellaneous manufacturing – Misc. Manufacturing, medical, dental, jewelry, sporting goods, toys, signs, all other	B
421990	Wholesale trade – <u> durable</u> , vehicle, machinery, equipment, furniture	E
422720	Wholesale trade – <u> nondurable</u> , wholesale gasoline distributor	F
422990	Wholesale trade – <u> nondurable</u> , paper, apparel, grocery, beverages, dairy	E
441140	Motor vehicle parts and accessories – auto, motorcycles, boats, parts and accessories	C
441110	Motor vehicles - new and/or used automobiles, motorcycles, boats, etc, dealerships and lots Must Provide Board Certification: Revenue Department-License Section	D
442110	Furniture – furniture, home furnishings, stores, floor coverings, window	C
443111	Electronic & appliance store – household, radio, television, computers	B
444190	Building materials and gardening equipment dealers – hardware, paint, home center, wallpaper, nursery	C
445110	Food & beverage stores – grocery, convenience store, markets	F
445121	040 Beer – on/off premise – state regulated through ABC Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	D
455122	050 Beer – off premise – state regulated through ABC Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
455131	060 Table Wine on/off premise – state regulated through ABC Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
455131.01	070 Table Wine on premise only – state regulated through ABC Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
455121, 455141.01 & 455131	010 Lounge Retail Liquor Class I – state regulated through ABC. Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
455122,	011 Package Store Liquor Class II – state regulated through ABC. Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H

455141.02 & 455131		
455121, 455141.03 & 455131	020 Restaurant Retail Liquor – state regulated through ABC. Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
455121, 455141.04 & 455131	032 (Club Liquor Class II) – state regulated through ABC Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
455132	110 Wholesale Table Wine & Beer – state regulated through ABC Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
445310	Package Stores – selling beer, wine and liquor plus general mdse Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	H
446110	Health and personal care stores – drug, pharmacy, cosmetic, optical, health food	C
447110	Gasoline retail - selling gasoline with or without convenience stores	E
448140	Clothing & accessories – men, women, children, infant, shoe, jewelry	B
451110	Sporting goods & hobbies – toy, fish, gun, books, games	B
452990	General merchandise stores – department, warehouse clubs, superstores	C
452991	General merchandise stores – private, membership	C
453310	Used merchandise stores – books, miscellaneous, consignment, flea mkt, antiques	
453390	Yard Sale/Garage Sale	F
453220	Miscellaneous retailers – florist, gift, novelty, pet, art, and tobacco	F
453991	Tobacco retailers – any business engaged in the peddling and/or distribution of tobacco products as primary retail product (example – cigar shop, tobacco shop)	B
454113	Non-Store Retailers – vending machine operators, mail order, not magazines and/or newspapers	B
454212	Non-Store Retailers – magazines and/or newspapers for circulation and distribution daily and weekly in the City (carriers excepted)	D
454110	Non-Store Retailer – peddlers license, solicitor, canvasser	I
454120	Non-Store Retailer – day vendor license, organized daily event	D
481110	Air transportation – airline tickets, shipping, freight, charter service	B
482110	Rail transportation – transportation, ticket offices, state regulated	11-51-124
483110	Water transportation – coastal, freight forwarders, inland, passenger	B
484121	Truck transportation – local, long-distance, freight, moving, and storage	C
484490	Truck transportation – terminal – state regulated	37-3-33
485510	Passenger transportation – charter and other vehicle transit services (subject to all applicable ordinances)	B
485113	Passenger transportation – bus terminals state regulated (subject to all applicable ordinances)	37-3-33
485320	Passenger transportation – taxi cabs, limousine service, buggy charters (subject to all applicable ordinances)	J
487110	Sightseeing transportation – scenic and sightseeing, land, air, water, special trans (subject to all applicable ordinances)	A
492110	Couriers – couriers and local messengers	C

492120	Delivery	See Section 21 of this ord.
493190	Warehousing and storage – distribution, household, refrigerated, special	F
511120	Publishing industries except internet – newspaper, book, periodical, databases, software	B
512131	Motion pictures – theatres, videos, recording, drive-ins, sound studios	A
515112	Broadcasting – radio and television stations	B
517110	Telecommunications – telephone local per 11-51-128	K
517110.01	Telecommunications – telephone long distance per 11-51-128	K
517212	Telecommunications – cellular and other wireless, paging	K
517310	Telecommunications – resellers of service	K
519512	Information services and data processing – providing, storing, processing, access to information	A
522110	Bank Main Office – not branch location or ATM	U
522210	Bank Branch or ATM – not main office of bank	U
522120	Savings and Loans Main Office – not branch location or ATM	U
522220	Savings and Loans Branch or ATM – not main office of S&L	U
522292	Mortgage company	U
522298	Pawn shop – whether title pawn or merchandise	A
522320	Credit services – companies and activities related to credit and mediation	B
523120	Securities, commodity – brokerage, portfolio, investment, bonds, stocks, other financial services	A
524210	Insurance company and/or its agents – casualty, fire, and/or marine premiums	11-51-120/123
524220	Insurance company and/or its agents – health, allied and all other premiums	11-51-120/123
525110	Funds, trusts, other financial agencies – funds, plans, and/or programs organized to pool securities or other assets for others, other than the Alabama Municipal Funding Corp.	A
531110	Real estate – apartment rental/leasing	B
531111	Real estate – single family residential rental/leasing	B
531120	Real estate – non-residential (including commercial, office, retail, agricultural) leasing/rental (except mini-warehouses)	B
531210	Real estate – brokers, management, appraisers	B
531211	Real estate – agents	B
531130	Warehousing – self-storage, mini-warehouses	C
532299	Rental and leasing – auto, truck, trailer, RV, all tangible property	D
532230	Rental and leasing – movie and video rental	A
541110	Attorney/Lawyers – individual and/or firm professional license Must Provide Board Certification: Alabama State Bar	A
541211	Accountant/CPAs – individual and/or firm professional license Must Provide Board Certification: Public Accountancy Board	A

541310	Architect – individual and/or firm professional license except landscape architect Must Provide Board Certification: Architects Registration Board	A
541320	Architect, Landscape – individual and/or firm professional license	A
541330	Engineer – individual and/or firm professional license Must Provide Board Certification: Engineers & Land Surveyors Professional Licensure Board	A
541370	Surveyor – individual and/or firm professional license Must Provide Board Certification: Engineers & Land Surveyors Professional Licensure Board	A
541511	Computer Programmer – individual and/or professional firm license	A
541922	Photographer – studios, portrait, commercial, services	A
541940	Veterinarian – individual and/or firm professional license Must Provide Board Certification: Alabama Veterinary Medical Examiners Board	A
541410	Interior Decorator – Interior decorating services, interior design consultation	A
541810	Advertising – agency, posters, pamphlets	A
541850	Advertising – billboard display advertising services	A
541920	Professional Associations	A
541001	Professional Services not elsewhere classified – scientific, technical	A
551110	Management companies – offices, enterprises, regional, corporate	B
561710	Exterminating services – exterminating company and its services Must Provide Board Certification: Department of Agriculture and Industries	E
561720	Janitorial firm – janitorial cleaning services – individual or firm	F
561730	Landscaping Services – including landscape installation, maintenance, lawn maintenance, etc.	F
561110	Administrative services – answering, employment, office, sec., travel	C
561310	Employment Agency	C
561440	Collection Agency	C
561621	Security Alarm Services Must Provide Board Certification: Alabama Electronic Security Board of Licensure	C
561510	Travel Agencies/Travel Agents	C
561611	Detective Agency, Detective, Private Investigator – police check required	C
561001	Services not otherwise classified in this table	C
562119	Waste management – companies, trucks, septic tanks, landfill, services	F
611710	Educational services – technical, computer, sports, services, business, home tutoring	D
621491	HMO – medical centers and services	B
621420	Outpatient Care Centers – all other types of services	C
621110	Physician/Doctor – individual and/or firm professional license Must Provide Board Certification: Alabama Board of Medical Examiners/Medical Licensure Commission of Alabama	C
621210	Dentist – individual and/or firm professional license Must Provide Board Certification: Board of Dental Examiners of Alabama	C
621310	Chiropractor – individual and/or firm professional license Must Provide Board Certification: Chiropractic Examiners Board	C

621391	Podiatrist – individual and/or firm professional license Must Provide Board Certification: Alabama Board of Medical Examiners/Medical Licensure Commission of Alabama	C
621320	Optometrist – individual and/or firm professional license Must Provide Board Certification: Optometry Board	C
621610	Nursing care –health, home health or day care	C
621910	Ambulance – ambulance company and/or services	D
622110	Hospitals – surgical, substance abuse, psychiatric, general care, special	C
623110	Nursing Home – continuing care facilities	D
623311	Assisted Living facilities with or without on-site nursing facilities	C
624130	Social assistance – shelters, vocational, abuse, emergency	E
624130	Child-care Must Provide Board Certification: Department of Human Resources	E
711110	Arts and sports – dance, musical, teams, tracks, promoters, agents	B
711120	Special events – promoter or activity	L
712110	Museums – museums and historical sites, zoos, botanical gardens, parks	C
713120	Amusement – arcades, golf clubs, marinas, fitness/gymnasium facilities, health club, bowling centers	B
721110	Accommodations – hotels, motels and similar facilities	D
722110	Restaurant – full/limited service restaurant facility, café, deli, cafeteria Must Provide Board Certification: Department of Health Permit	D
722320	Caterers – and/or mobile food services Must Provide Board Certification: Department of Health Permit	C
722410	Drinking establishment – club, lounge, bar or other Must Provide Board Certification: Alcoholic Beverage Control Board (ABC Board)	B
811111	Repairs and maintenance – auto, paint/body, carwash, other vehicular	C
811211	Repairs and maintenance – all electronic equipment	B
811412	Repairs and maintenance – all appliances, home & garden equipment	D
811490	Alterations, tailoring	B
812112	Personal Services – hair, skin, diet, nail	B
812112.01	Personal Services–barber, beautician Must Provide Board Certification: Alabama Board of Cosmetology and Barbering	B
812112.02	Personal Services – tanning	B
812112.03	Personal Services – funerals Must Provide Board Certification: Board of Funeral Services	B
812990	Bail bonding services – individual reader license	B
812320	Dry cleaning/laundry – full service, pickup and delivery	B
812310	Dry cleaning/laundry – coin operated and self-service	B
812990.01	Fortune teller or Clairvoyant – individual reader license	M
910110	Category for number of – vending machines for all types vending	N
910210	Category for number of – pool tables	O

910310	Category for number of – amusement devices and/or games	P
920110	Category for number of – <u>employees</u> as a basis for calculating license	R
999110	Unclassified miscellaneous <u>business</u> services not elsewhere classified	C
999210	Unclassified miscellaneous <u>personal</u> services not elsewhere classified	B
923110	Administration of human resource programs	E
924110	Administration of Environmental Quality Programs	F
925110	Administration of housing, urban, comm.	B
926110	Administration of economic programs	A
927110	Space, research, and technology	B
928110	National Security and International Affairs	A

Calculation Information

Schedule "A"

Flat Fee: \$100.00

Schedule "B"

Flat Fee: \$100.00

Schedule "C"

Flat Fee: \$100.00

Schedule "D"

Flat Fee: \$100.00

Schedule "E"

Flat Fee: \$100.00

Schedule "F"

Flat Fee: \$100.00

EXCEPTION: Yard Sales / Garage Sales shall be a flat fee of \$25.00 per event

Schedule "G" – Utilities

Amount of license is state regulated. See Section 11-51-129 of the Code of Alabama 1975. For those utilities covered, the license shall not exceed an amount equal to three percent of the gross receipts of the business transacted in the municipality for the previous year for the sale or distribution of electrical current or natural gas from any point in or into the municipality.

Schedule "H" - Beer, Wine & Liquor

<u>State of Alabama Code</u>	<u>Classification</u>	<u>Amount</u>	<u>Licensing Notes</u>
040 (Beer On/Off Premise)	455121	75.00	
050 (Beer Off Premise Only)	455122	75.00	All three codes are part of the package plus the business license code, PLUS an amount based upon gross receipts as indicated below *1(A).
060 (Table Wine On/Off Premise)	455131	75.00	
070 (Table Wine Off Premise Only)	455131	75.00	
010 (Lounge Retail Liquor Class I)	455121	75.00	
	455141.01	100.00*	
	455131	75.00	
011 (Package Store Liquor Class II)	455122	75.00	All three codes are part of the package plus the business license code, PLUS an amount based upon gross receipts as indicated below *1(A).
	455141.02	100.00*	
	455131	75.00	
020 (Restaurant Retail Liquor)	455121	75.00	All three codes are part of the package plus the business license code, PLUS an amount based upon gross receipts as indicated below *1(A).
	455141.03	100.00*	
	455131	75.00	
032 (Club Liquor Class II)	455121	75.00	All three codes are part of the package plus the business license code, PLUS an amount based upon gross receipts as indicated below *1(A).
	455141.04	100.00*	
	455131	75.00	
110 (Wholesale Table Wine & Beer)	455132	100.00	Distributors License

*1(A). Each person licensed by the Board to operate and sell retail liquor under NAICS code 455141 for on-premise or off-premise shall pay an annual license fee of \$100.00 PLUS an amount equal 3% of gross receipts in excess of \$50,000, where the gross receipts are derived from the sale of alcoholic beverages other than beer and wine. This tax shall be due and payable monthly, on or before the 15th day of each month for the sale of the beverages noted above made in the immediately preceding month.

Schedule "I" – Peddlers

Daily Rate	issued for single day sales activity	\$ 10.00
Weekly Rate	issued for week long sales activity	\$ 25.00
Monthly Rate	issued for month long sales activity	\$ 50.00
Yearly Rate	issued for annual sales activity	\$ 100.00

Schedule "J" - Taxi Cabs & Limousines

In addition to the license thereto, there shall be a decal affixed to each taxi cab or limousine and the cost of said decals shall be according to the following table:

1 taxi-cab or limousine	\$ 50.00 per decal
All taxi cabs or limousines over 1	\$ 25.00 per decal

Schedule "K" - Telephones & Telecommunications

Code of Alabama 11-51-128

In municipalities having a population of more than 500 and not exceeding 1,000, exchange license, \$30.00, long distance license, \$8.00

Schedule "L" - Special Events Licenses

Flat Fee: \$100.00

Schedule "M" - Fortune Tellers

Flat Fee: \$100.00

Schedule "N" - Vending Machines

In addition to the license thereto, there shall be a decal affixed to each machine and the cost of said decals shall be according to the following table:

1 to 5 machines vending any type merchandise or product	\$ 20.00 per decal
5 to 10 machines vending any type merchandise or product	\$ 10.00 per decal
all over 10 machines vending any type merchandise or product	\$ 5.00 per decal

Schedule "O" - Billiard and/or Pool Tables

In addition to the license thereto, there shall be a decal affixed to each machine and the cost of said decals shall be according to the following table:

For 1 to 2 billiard or pool tables	\$ 50.00 per decal
All billiard or pool tables over 2	\$ 25.00 per decal

Schedule "P" - Amusement Devices

In addition to the license thereto, there shall be a decal affixed to each machine and the cost of said decals shall be according to the following table:

For the first 10 machines	\$ 25.00 per decal
All machines over 10	\$ 10.00 per decal

Schedule "Q" - Buses, Trucks & Other Equipment

In addition to the license thereto, there shall be a decal affixed to each piece of equipment and the cost of said decals shall be according to the following table:

From 1 to 2 buses, trucks or other equipment	\$ 50.00 per decal
From 2 to 5 buses, trucks or other equipment	\$ 25.00 per decal
Over 5 buses, trucks or other equipment	\$ 10.00 per decal

Schedule "R" - Number of Employees

R-1	Where personnel are from 1 to 2 people.....	100.00
R-2	Where personnel are from 3 to 5 people.....	100.00
R-3	Where personnel are from 6 to 10 people.....	100.00
R-4	Where personnel are from 11 to 20 people.....	100.00
R-5	Where personnel are from 21 to 50 people.....	100.00
R-6	Where personnel are from 51 to 75 people.....	100.00
R-7	Where personnel are from 76 to 100 people.....	100.00
R-8	Personnel over 100	100.00

Schedule "S" - Square Feet

S-1	From zero	to	5,000 Square Feet.....	100.00
S-2	From 5,000	to	10,000 Square Feet.....	100.00
S-3	From 10,000	to	20,000 Square Feet.....	100.00
S-4	From 20,000	to	30,000 Square Feet.....	100.00
S-5	From 30,000	to	40,000 Square Feet.....	100.00
S-6	From 40,000	to	50,000 Square Feet.....	100.00
S-7	From 50,000	to	60,000 Square Feet.....	100.00
S-8	From 60,000	to	70,000 Square Feet.....	100.00
S-9	From 70,000	to	80,000 Square Feet.....	100.00
S-10	From 80,000	to	90,000 Square Feet.....	100.00
S-11	From 90,000	to	100,000 Square Feet.....	100.00
S-16	Over 100,000	Square Feet.....		100.00

Schedule "U" - Banks / Savings & Loans

Bank ATM Location	\$ 10.00
Bank Branch Location	\$ 10.00
Bank Main Office Facility	\$ 100.00
Savings & Loan ATM Location	\$ 10.00
Savings & Loan Branch Location	\$ 10.00
Savings & Loan Mail Office Facility	\$ 100.00

Schedule "V" - Delivery License-See Qualifications in Section 21 Below

The rate for the delivery license is established in Section 21 and is: \$ 100.00

Section 21. Delivery License per §11-51-194 Modified by 2017-415 (SB316) and SB 321.

(a) (1) Each municipality may require the purchase of a delivery license by any business that has no other physical presence within the municipality or its police jurisdiction for the privilege of delivering its merchandise, whether for rental or final sale, therein. The amount of the delivery license shall not exceed one hundred dollars (\$100). Nothing in this subsection shall prohibit a municipality from requiring by ordinance the purchase of a decal by the taxpayer for each delivery vehicle making deliveries within the municipality or its police jurisdiction. The charge for the decal shall not exceed the municipality's actual cost of the decal.

(2) Notwithstanding any other provision of law, a municipality may charge a taxpayer an issuance fee for a business delivery license not to exceed ten dollars (\$10).

(b) As used in this section, a delivery license means a fixed rate business license issued by a municipality for the limited privilege of delivering and requisite set-up and installation, by the taxpayer's employees or agents, of the taxpayer's own merchandise in that municipality, by means of delivery vehicles owned, leased, or contracted by the taxpayer; provided that the gross receipts derived from the sale and any requisite set-up or installation of all merchandise so delivered into the municipality shall not exceed seventy-five thousand dollars (\$75,000) during the license year, and any set-up or installation shall relate only to

(1) That required by the contract between the taxpayer and the customer or as may be required by state or local law; and

(2) the merchandise so delivered.

Mere delivery of the taxpayer's merchandise by common carrier shall not allow the taxing jurisdiction to assess a business license tax or a delivery license tax against the taxpayer, but the gross receipts derived from any sale and delivery accomplished by means of a common carrier shall be counted against the seventy-five thousand dollar (\$75,000) limitation described in the preceding sentence if the taxpayer also during the same license year sells and delivers into the taxing jurisdiction using a delivery vehicle other than a common carrier. Provided that the dollar limitation prescribed above shall be increased, but not decreased, every five years under the standards prescribed by Section 11-51-90 with respect to the uniform license issuance fee and may be increased by a municipality at any time, up to one hundred fifty thousand dollars (\$150,000), by adoption of an ordinance. A common carrier, contract carrier, or similar delivery service making deliveries on behalf of others shall not be entitled to purchase a delivery license.

(c) A taxpayer that otherwise meets the criteria for the purchase of a delivery license pursuant to subsections (a) and (b) is not required to purchase a delivery license or a regular business license if the following criteria apply:

1) The taxpayer's gross receipts that are derived from within the municipality or its police jurisdiction do not exceed ten thousand dollars (\$10,000) during the year; and

(2) the taxpayer has no other physical presence within the municipality or its police jurisdiction during the year.

Any other taxpayer that meets the criteria for the purchase of a delivery license, as provided in subsections (a) and (b), and meets those criteria during the current license year as well, shall purchase either a delivery license or a regular business license otherwise applicable to the taxpayer, at its option.

(d) Notwithstanding Section 11-51-90.2, the delivery license shall be calculated in arrears, based on the related gross receipts during the preceding license year.

(e) The purchase of a delivery license or the exemption from the purchase of a delivery license pursuant to subsection (c) shall not, in and of itself, establish nexus between the taxpayer and the municipality for purposes of the taxes levied by or under the authority of Title 40 or other provisions of this title, nor does the purchase of a delivery license, in and of itself, establish that nexus does not exist between the taxpayer and the municipality.

(f) If at any time during the current license year the taxpayer fails to meet the criteria specified in subsections (a) and (b), then within 45 days after any of the criteria have been violated or exceeded, the taxpayer shall purchase a business delivery license or other appropriate license from the municipality and may be subject to a penalty not to exceed ten dollars (\$10).