

CITY OF GUSTAVUS

ORDINANCE NO. 2008-20

AN ORDINANCE OF THE CITY OF GUSTAVUS AMENDING GUSTAVUS MUNICIPAL CODE SECTIONS 04.15.030 ENTITLED "IMPOSITION OF SALES TAX" TO IMPOSE A FLAT SALES TAX RATE TO BE PAID BY FISHING CHARTER CUSTOMERS ON THE VALUE OF PACKAGED FISH AND/OR SEAFOOD CAUGHT OR TAKEN BY FISHING CHARTER CUSTOMERS.

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be part of the Gustavus municipal code of the city of Gustavus, Alaska upon election certification.
2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.
3. **PURPOSE.** The purpose of this ordinance is to impose a sales tax on the value of the packaged fish and/or seafood caught or taken and retained by fish charter customers as a result of their charter.

The proposed amendment to the Gustavus Municipal Tax Code Section 04.15.030 would impose a flat rate of \$10.00 per fish box as a reasonable sales tax levy rate for the value of the packaged fish and/or seafood of fishing charter customers. This flat rate levy and the amount of tax takes into consideration that each fish box may contain varied amount, type, and size of fish and/or seafood which makes it difficult to precisely calculate its value. Additionally, since the fish and/or seafood has been caught and/or taken by the charter customer, the value of the packaged fish and/or seafood cannot be directly correlated with retail sales prices of fish and/or seafood. Thus, the City of Gustavus, Alaska finds that the flat rate charge of \$10 per fish box is a reasonable sales tax rate.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the City of Gustavus that the Gustavus Municipal Code Section 04.15.030 entitled "Imposition of Sales Tax" be amended by adding paragraph (e.).

e. There shall be levied and collected a flat sales tax of \$10.00 per fish box.

1. A flat rate of \$10.00 per fish box shall be levied on the packaged fish and or seafood caught or taken and retained by fish charter customers as part of the fish charter. *This tax shall be paid by*

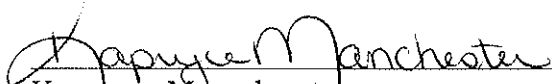
the fish charter customer, collected by whomever packages the fish or seafood caught or taken by the fish charter customer. For the purposes of this section, a fish box means any packaging by a fish charter operator or processor, of fish and or seafood caught or taken as part of the charter by a fish charter customer.

5. EFFECTIVE DATE. This ordinance shall become effective immediately on certification of election results that show a majority of qualified voters approved the enactment of the Fish Tax Ordinance.

**PASSED BY MAJORITY VOTE AT A SPECIAL MUNICIPAL
ELECTION HELD ON JULY 8, 2008.**

**Results: Yes = 133
 No = 47**

Attest:


Kapryce Manchester
City Clerk