



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** December 21, 2017

**Staff Contact:** Hope Sullivan, Planning Manager

**Agenda Title:** For Possible Action: To adopt Bill No. 129, on second reading, an ordinance amending the Carson City Municipal Code Title 4, Licenses and Business Regulations, of the Carson City Municipal Code to establish provisions relating to the filing of a certificate required under State law by persons intending to conduct business under an assumed or fictitious name. (Hope Sullivan, hsullivan@carson.org)

**Staff Summary:** The Board introduced the subject ordinance at its meeting of December 7, 2017. Nevada Revised Statute (NRS) requires that every person doing business in the state under an assumed or fictitious name must file a certificate containing this information with the County Clerk. This certificate must be notarized unless the Board adopts an ordinance providing that the certificate may be filed without being notarized. If the notarization is not required, businesses will be able to apply for business licenses on-line. This will result in improved efficiencies and customer service.

**Agenda Action:** Ordinance - Second Reading

**Time Requested:** 5 Minutes

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## **Proposed Motion**

I move to adopt Bill No. 129, on second reading, Ordinance No. 2017- \_\_\_\_\_, an ordinance amending Title 4, Licenses and Business Regulations, as published on the agenda.

## **Board's Strategic Goal**

Economic Development

## **Previous Action**

At its meeting of December 7, 2017, the Board of Supervisors introduced the subject Ordinance by a vote of 5 - 0.

## **Background/Issues & Analysis**

The Business License staff is deputized by the City Clerk's office to process Fictitious Name Certificates. This allows applicants for business licenses to have a single portal as opposed to visiting multiple agencies. The Business License Division has been working with the Information Technology Department to put fillable forms on the website, and allow for on-line business license applications. The required notarization of the Fictitious Name Certificate has proven an obstacle to allowing for an entirely on-line submittal. In reading NRS, staff noted that the Board has the authority to allow the filing of the Certificate without requiring notarization. Staff does not find there to be a value in notarizing the certificate, and finds that the elimination of the requirement will improve efficiencies in the Business License Division as well as improve customer service.

## **Applicable Statute, Code, Policy, Rule or Regulation**

Chapter 4.04 (Business Licenses)

## **Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number: N/A

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

- 1) Adopt the proposed ordinance
- 2) Do not adopt the ordinance

**Attachments:**

- 1) Ordinance

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

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\_\_\_\_\_  
(Vote Recorded By)

Summary: An ordinance relating to the filing of a certificate required under state law by persons intending to conduct business under an assumed or fictitious name.

BILL NO. 129

ORDINANCE NO. 2017-\_\_

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 4 (LICENSES AND BUSINESS REGULATIONS) OF THE CARSON CITY MUNICIPAL CODE TO ESTABLISH PROVISIONS RELATING TO THE FILING OF A CERTIFICATE REQUIRED UNDER STATE LAW BY PERSONS INTENDING TO CONDUCT BUSINESS UNDER AN ASSUMED OR FICTITIOUS NAME; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 4 (Licenses and Business Regulations), Chapter 4.04 (Business Licenses), is hereby amended by adding thereto a new section 4.04.300 (Certificate for Assumed or Fictitious Business Names) (**bold, underlined** text is added, ~~{stricken}~~ text is deleted) as follows:

**A certificate that is required to be filed with the Carson City Clerk-Recorder pursuant to NRS 602.010 by every person doing business in this state under an assumed or fictitious name that is in any way different from the legal name of each person who owns an interest in the business may be submitted:**

**1. Electronically to and in the manner prescribed by the Business License Division; and**

**2. Without being notarized.**

SECTION II:

That no other provisions of Title 4 (Licenses and Business Regulations) of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on \_\_\_\_\_, 2017.

PROPOSED BY Supervisor \_\_\_\_\_

PASSED \_\_\_\_\_, 2017.

VOTE:

AYES:

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NAYS:

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ABSENT:

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ROBERT L. CROWELL, Mayor

ATTEST:

\_\_\_\_\_  
SUSAN MERRIWETHER, Clerk-Recorder

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year 2017.