

**STATE OF GEORGIA  
COUNTY OF DEKALB  
CITY OF LITHONIA**

**AN ORDINANCE BY THE CITY OF LITHONIA (“CITY”) TO IMPOSE LICENSE FEES ON INSURERS CONDUCTING BUSINESS WITHIN THE CITY OF LITHONIA, GEORGIA; TO IMPOSE A GROSS PREMIUMS TAX ON INSURERS OPERATING WITHIN THE STATE OF GEORGIA; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Lithonia, Georgia (the "City") is the Mayor and Council thereof; and

**WHEREAS**, the City of Lithonia is authorized by O.C.G.A. §36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

**WHEREAS**, the City's Code of Ordinances should be amended and updated in order to provide for and comply with current Georgia law, and

**WHEREAS**, the new 2020 U.S. Census (the “Census”) figures allow the City to increase the amount of the municipal license fee charged to insurance companies; and

**WHEREAS**, O.C.G.A. Section 33-8-8 permits Georgia municipalities to charge an annual flat fee to insurance companies transacting business within the City limits; and

**WHEREAS**, the annual flat fee is determined by the population of each city; and

**WHEREAS**, according to the Census the population of the City increased from 1,924 to 2,662; and

**WHEREAS**, under the authorizing statute, the City is authorized to charge an annual license fee to insurance companies in the amount of \$40.00.

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LITHONIA, GEORGIA; AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:**

**SECTION 1. Insurers License Fees**

There is hereby levied for the year 2022 and for each year thereafter an annual license fee upon each insurer doing business within the City of Lithonia, Georgia in the amount of forty dollars (\$40). For each separate business location in excess of one not covered by Section 2, which is operating on behalf of such insurers within the City of Lithonia, Georgia, there is hereby levied a license fee in the amount of forty dollars (\$40). For the purposes of this ordinance, the term "insurer" means a company which is authorized to transact business in any of the classes of insurance designated in O.C.G.A. Sec. 33-3-5.

**SECTION 2. License Fees for Insurers Insuring Certain Risks at Additional Business Locations**

For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales offers, solicits or takes application for insurance through a licensed agent of an insurer for insurance said insurer shall pay an additional license fee of fourteen dollars (\$14) per location for the year 2022 and for each year thereafter.

**SECTION 3. Gross Premiums Tax Imposed on Life Insurers**

There is hereby levied for the year 2022 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness insurance within the State of Georgia in an amount equal to one percent (1%) of the gross direct premiums received during the preceding calendar year in accordance with

O.C.G.A. Sec.33-8-8.1. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. Sec.33-8-4. The premium tax levied by this section is in addition to the license fees imposed by Section 1 of this ordinance.

**SECTION 4. Gross Premiums Tax, All Other Insurers**

There is hereby levied for the year 2022 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer, other than an insurer transacting business in the class of insurance designated in subsection 1 of O.C.G.A. Sec.33-3-5, doing business within the State of Georgia in an amount equal to two and one-half percent (2.5%) of the gross direct premiums received during the preceding calendar year in accordance with O.C.G.A. Sec.33-8-8.2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. Sec.33-8-4. The premium tax levied by this section is in addition to the license fees imposed by Section 1 of this ordinance.

**SECTION 5. Due Date for License Fees**

License fees imposed in Sections 1 and 2 of this Ordinance shall be due and payable on the first day of 2022 and on the first date of each subsequent year.

**SECTION 6. Administrative Provisions**

The City Clerk is hereby directed to forward a duly certified copy of this ordinance to the Insurance Commissioner of the State of Georgia within 45 days of its enactment.

**SECTION 7. Effective Date**

This ordinance shall become effective January 1, 2022.

**SECTION 8. Severability**

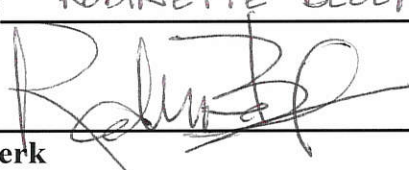
In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of Lithonia, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

**SECTION 9. Repealer**

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

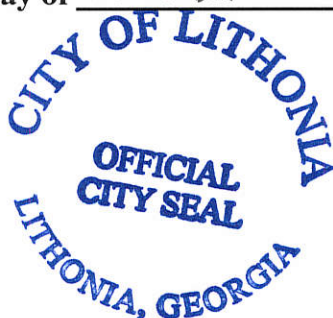
Ordained this 1<sup>st</sup> day of Nov., 2021, by the Mayor and Council of the City of Lithonia, Georgia.

  
\_\_\_\_\_  
Mayor

Attest: ROBINETTE BLOUNT  
  
\_\_\_\_\_  
City Clerk

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the City of Lithonia, Georgia adopted on the 1<sup>st</sup> day of November.

City Seal



  
\_\_\_\_\_  
City Clerk