

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 479
SENATE BILL 107

AN ACT TO SIMPLIFY AND MODERNIZE PRIVILEGE LICENSE TAXES
RELATING TO DRY CLEANERS AND LAUNDRIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-74 reads as rewritten:

"§ 105-74. Pressing clubs, dry cleaning plants, and hat blockers.

(a) Location License. ~~Every person-person, firm, or corporation~~ engaging in the business of operating a ~~dry cleaning plant, pressing club cleaning, pressing, or hat blocking establishment-business~~ shall apply for and ~~procure-obtain~~ from the Secretary of Revenue a State license for each place of business and shall pay a license tax. The license tax is for the privilege of conducting such a business, and shall pay for such license a tax of fifty dollars (\$50.00)-engaging in the business. If a place of business does not solicit outside the county where the place of business is located, the license tax is fifty dollars (\$50.00). If a place of business solicits outside the county where the place of business is located, the license tax is one hundred dollars (\$100.00).

~~Every person, firm, or corporation, soliciting cleaning work and/or pressing in any city or town where the actual cleaning and/or pressing is done in a cleaning plant or press shop located outside the city or town wherein said cleaning work and/or pressing is solicited shall procure from the Secretary of Revenue a State license for the privilege of soliciting in said city or town, and pay for the same a tax of fifty dollars (\$50.00). This shall not apply to soliciting in cities or towns where there is no cleaning plant, press shop or established agency with fixed place of business, provided that the solicitor shall have paid a State and municipal license tax in this State.~~

(b) Soliciting License. ~~Every person, firm-firm, or corporation~~ engaged in the business of soliciting dry cleaning ~~and/or-or~~ pressing work to be done by a ~~dry cleaning plant which has not paid a place of business that is not liable for the State license tax levied herein-in~~ subsection (a) shall pay a tax of ~~two hundred dollars (\$200.00)-one hundred dollars (\$100.00).~~ for each vehicle used in carrying the dry cleaning and/or pressing work, and the license issued by the Secretary of Revenue shall be carried The holder of a soliciting license shall carry the license in the cab of any vehicle so employed-used in soliciting in this State.

(c) Local Licenses. A municipality may tax each place of business that is taxed under subsection (a) and is located in the municipality. The tax may not exceed the rate provided in subsection (a). Counties and municipalities may tax each business taxed under subsection (b). The tax may not exceed the rate provided in subsection (b).

~~Counties, cities and towns may levy a tax upon such persons, firms or corporations not in excess of that levied by the State.~~

~~Cities and towns of under 10,000 population may levy a license tax not in excess of twenty-five dollars (\$25.00); cities and towns of 10,000 population and over may levy a license tax not in excess of fifty dollars (\$50.00). Counties shall not levy a license tax on the business taxed under this section.~~

~~Counties, cities and towns may not collect a privilege license tax under this section unless the State license tax, if due, has been first paid.~~

~~Definitions: (d) Definitions. For the purpose of this section, the The following definitions shall apply: apply in this section:~~

- ~~(1) Dry cleaning, pressing, or hat blocking business. A place of business where the service 'Dry cleaning, and/or hat blocking, and/or pressing establishments' shall mean any place of business, establishment or vehicle wherein the services of dry cleaning, wet cleaning as a process incidental to dry cleaning, spotting and/or spotting, pressing, finishing and/or finishing, or reblocking hats, garments, or wearing apparel of any kind is performed.~~
- ~~(2) Place of business. A fixed place at which a business is maintained.~~
- ~~(3) 'Soliciting' as used herein shall mean the acceptance of any Soliciting. Accepting an article or a garment to be dry cleaned and/or pressed. or pressed by taking physical possession of the article or garment.~~

~~"Person" as used herein shall mean any person, firm, corporation, partnership, or association.~~

~~(e) Scope. This section shall does not apply to any bona fide student of any college or university in this State operating such a pressing or dry cleaning business at such the college or university during the school term of such the college or university.~~

~~A person, firm, or corporation required to be licensed under this section is not required to procure the license under G.S. 105-102.5 for the same location."~~

~~Sec. 2. G.S. 105-85 reads as rewritten:~~

~~"§ 105-85. Laundries.~~

~~(a) Laundry License. Every person, firm, or corporation engaged in the business of operating a laundry, including wet or damp wash laundries and businesses known as "launderettes," "launderalls" and similar type businesses, where steam, electricity, or other power is used, or who engages in laundry, or engaged in the business of supplying or renting clean linen or towels—linen, towels, or wearing apparel, shall apply for and obtain from the Secretary of Revenue a State license for each place of business and shall pay a license tax. The license tax is for the privilege of engaging in such business, and shall pay for such license a tax of fifty dollars (\$50.00). the business. If a place of business does not solicit outside the county where the place of business is located, the license tax is fifty dollars (\$50.00). If a place of business solicits outside the county where the place of business is located, the license tax is one hundred dollars (\$100.00).~~

~~(b) Definitions. The following definitions apply in this section:~~

- ~~(1) Laundry. A business where steam, electricity, or other power is used to clean fabric, including a wet or damp wash laundry, a launderette, a~~

laundrall, or a similar business. The term 'laundrettes and laundralls' means 'Laundrettes and laundralls' shall mean commercial establishments in which automatic washing machines and dryers are installed for the use of individual customers, including those which that contain coin-operated or coin-activated washing machines. However, 'laundrettes and laundralls' shall machines; however, the term does not include persons who own or operate apartment buildings in which they provide such these machines are provided for the exclusive use and convenience of tenants therein, nor shall such persons be considered to be engaged in any 'similar type business.' of the buildings.

- (2) Place of business. A fixed place at which a business is maintained.
- (3) Soliciting. Accepting an article or a garment to be laundered by taking physical possession of the article or garment.

~~Every person, firm, or corporation soliciting laundry work or supplying or renting clean linen or towels or wearing apparel in any city or town, outside of the city or town wherein said laundry or linen supply or towel supply or wearing apparel supply business is established, shall procure from the Secretary of Revenue a State license and shall pay for such license a tax of fifty dollars (\$50.00) for the privilege of soliciting therein. The additional tax levied in this paragraph shall apply to the soliciting of laundry work or linen supply or towel supply work or wearing apparel supply work in any city or town in which there is a laundry, linen supply or towel supply or wearing apparel supply establishment located in the said city or town. The soliciting of business for or by any person, firm, or corporation engaged in the business of laundry work and/or supplying or renting clean linen or towels or wearing apparel shall and the same is hereby construed to be engaging in the said business.~~

(c) Soliciting License. Every person, firm, or corporation engaged in the business of soliciting laundry work to be done by a laundry or plant which has not paid place of business that is not liable for the State license tax levied herein in subsection (a) shall pay a tax of two hundred dollars (\$200.00) one hundred dollars (\$100.00). for each vehicle used in carrying the laundry work, and the license issued by the Secretary of Revenue shall be carried. The holder of a soliciting license shall carry the license in the cab of any vehicle used in soliciting in this State. so employed. Counties, cities and towns may levy a tax upon such persons, firms or corporations not in excess of that levied by the State.

(d) Scope. A person, firm, or corporation required to be licensed under this section is not required to procure the license under G.S. 105-102.5 for the same location.

(e) Local Licenses. A municipality may tax each place of business that is taxed under subsection (a) and is located in the municipality. The tax may not exceed the rate provided in subsection (a). Counties and municipalities may tax each business taxed under subsection (c). The tax may not exceed the rate provided in subsection (c). Counties, cities and towns, respectively, may levy a license tax not in excess of twelve dollars and fifty cents (\$12.50) on any person, firm, or corporation engaged in the

~~business of laundry work and/or supplying or renting clean linen or towels or wearing apparel in instances when said work is performed outside the said county or town, or when the linen or towels or wearing apparel are supplied by business outside said county or town. Cities and towns may levy a license tax not in excess of fifty dollars (\$50.00) on any other person, firm or corporation engaged in the business of laundry work and/or supplying or renting clean linen or towels or wearing apparel. Counties, cities and towns may not collect a privilege license tax under this section unless the State license tax, if due, has been first paid."~~

Sec. 3. This act becomes effective July 1, 1991.

In the General Assembly read three times and ratified this the 2nd day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives