



# NEW COMMERCIAL BUSINESS LICENSE APPLICATION PACKET

## Instructions for Completion of Commercial Business License Application

1.	<b>All</b> fields must be completed before submitting the renewal application to the City. Make sure to type or print legibly.								
2.	See Chapter 605 of the City of Wildwood Municipal Code to determine your business category and rate. A copy of the Chapter is attached. Fees for new businesses are based on the quarter within the license year in which the business intended to begin operating within the City. Pay the percentage listed in the graph below of your calculated annual fee. If the calculated fee is less than \$25.00, the actual fee will be \$25.00.								
<b>Open Date</b>									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">July 1<sup>st</sup> – September 30<sup>th</sup></td> <td style="width: 16.5%; text-align: center;">100%</td> <td style="width: 33%;">October 1<sup>st</sup> – December 31<sup>st</sup></td> <td style="width: 17.5%; text-align: center;">75%</td> </tr> <tr> <td>January 1<sup>st</sup> – March 31<sup>st</sup></td> <td style="text-align: center;">50%</td> <td>April 1<sup>st</sup> – June 30<sup>th</sup></td> <td style="text-align: center;">25%</td> </tr> </table>	July 1 <sup>st</sup> – September 30 <sup>th</sup>	100%	October 1 <sup>st</sup> – December 31 <sup>st</sup>	75%	January 1 <sup>st</sup> – March 31 <sup>st</sup>	50%	April 1 <sup>st</sup> – June 30 <sup>th</sup>	25%
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3.	The field “Federal Employer ID # or Business Owner ID #” <b>must</b> contain a valid entry. Please verify that the number appearing on your renewal application is accurate. FEIN’s and SSN’s only have numerical characters. If you are using a driver’s license or other personal state-issued ID, alphabetical characters may be included.								
4.	Incomplete or unsigned applications will be returned without a license.								

## Saint Louis County Public Works Re-Occupancy Permit Application

1.	If a Re-Occupancy Permit is required for your business, one <b>must</b> be obtained before your business opens or begins operating in the City of Wildwood. It is a Municipal Code violation to open prior to issuance of a Re-Occupancy Permit.
2.	Please contact the City of Wildwood Department of Planning if you are unsure whether or not the Re-Occupancy Permit requirement applies to your business.
3.	A copy of the Saint Louis County Re-Occupancy Permit Application is included in this packet, along with specific instructions.
4.	The City of Wildwood Department of Planning must review the Re-Occupancy Permit Application <b>before</b> you submit it to Saint Louis County.

## Additional Requirements for Businesses that conduct Retail Sales

1.	If your business conducts retail sales but does not collect sales tax, please submit a typed or legibly printed explanation on a separate sheet of paper.
2.	If your business is moving to the City of Wildwood from another part of Missouri, a “Certificate of No Tax Due” from the Missouri Department of Revenue <b>must</b> be provided to the City by any business required to collect sales tax. The Missouri Department of Revenue may be contacted in Jefferson City at (573) 751-2836, or in the St. Louis Tax Assistance Center at (314) 877-0177.

## Remittance of Applications and Fees

Checks should be made payable to City of Wildwood.

Return completed application and fee to the following address:

City of Wildwood  
Business License Renewal  
16860 Main Street  
Wildwood, MO 63040



WILDWOOD

City of Wildwood  
16860 Main Street  
Wildwood, MO 63040  
(636) 458-0440

# BUSINESS LICENSE APPLICATION

An application must be completed in full for each location in the City of Wildwood. You have an independent obligation to ensure all information is true and correct. Renewal applications and fees are due annually by June 30<sup>th</sup> and are considered delinquent after July 31<sup>st</sup>; penalties will be accessed after that date.

Fee: \_\_\_\_\_ Penalty: \_\_\_\_\_ Check #: \_\_\_\_\_ Date Received: \_\_\_\_\_ Date License Issued: \_\_\_\_\_ License Number: \_\_\_\_\_

<b>TYPE OF BUSINESS:</b>		<b>TYPE OF APPLICATION:</b>	
COMMERCIAL <input type="checkbox"/> HOME OCCUPATION <input type="checkbox"/>		NEW <input type="checkbox"/> RENEWAL <input type="checkbox"/>	
<b>LICENSE FEE SCHEDULE:</b> Refer to Municipal Code Section 605.050			
Home Occupation Business License Fee is a Flat Rate of \$25.00		Amount Due = \$25.00	
Commercial Business Category Check One Only	Rate	Computation of Fee for Commercial Business	
<small>Based on predominant use of Business Space per 605.020</small>		<small>Multiply Square Feet by Business Category to Determine Amount Due</small>	
<input type="checkbox"/> Manufacturing / Warehousing	.02	Square Footage of Business Space	
<input type="checkbox"/> Service / Office	.04	Business Category Rate	X
<input type="checkbox"/> Retail Sales	.08	Amount Due (Minimum of \$25.00)	=

**BUSINESS INFORMATION:**

Legal Business Name: \_\_\_\_\_

D/B/A (this name will appear on your license): \_\_\_\_\_

Wildwood Business Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Mailing Address (if different from above) \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Owner/Manager: \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell Phone Number: \_\_\_\_\_

Date Business began/will begin to operate in Wildwood (current ownership): \_\_\_\_\_

Does Business Conduct Retail Sales?: \_\_\_\_\_ If yes, MO Sales Tax ID (8-digits): \_\_\_\_\_

Federal Employer ID: \_\_\_\_\_ Driver's License #: \_\_\_\_\_ State of Issuance: \_\_\_\_\_

Description of Business, Trade, or Occupation (this information MUST be provided and will appear on your business license): \_\_\_\_\_

Hours of Operation (i.e., Mon-Fri, 8 AM-5 PM; by appointment only; etc.): \_\_\_\_\_

Number of Employees (including management, owner/operator) employed at your Wildwood location:

Full Time: \_\_\_\_\_ Part Time: \_\_\_\_\_ Seasonal: \_\_\_\_\_

**EMERGENCY CONTACT INFORMATION:**

Contact Person #1: \_\_\_\_\_

After-Hours Telephone Number: \_\_\_\_\_ Cell Phone Number: \_\_\_\_\_

Contact Person #2: \_\_\_\_\_

After-Hours Telephone Number: \_\_\_\_\_ Cell Phone Number: \_\_\_\_\_

**ALARM COMPANY:**

Name of Company: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**Alcohol Sales:**

Is any portion of business used solely for the sale of alcoholic beverages?: Yes \_\_\_\_\_ No \_\_\_\_\_

Total square footage of business space used solely for the sale of alcoholic beverages: \_\_\_\_\_

**Vending Machines:**

Are there vending machines at your Wildwood location? Yes \_\_\_ No \_\_\_ *If yes, number of vending machines:* \_\_\_\_\_

Owner/Operator (if different from your business): \_\_\_\_\_

**Waste Collection:**

Waste/Trash Collection Service Company used by your business: \_\_\_\_\_

**Other Businesses/Sub-lease:**

Does another person or business sub-lease/operate out of your business space?: Yes \_\_\_\_\_ No \_\_\_\_\_

*If yes, please provide the name and phone number for this business:*

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**BUSINESS OWNER/OFFICER AGREEMENT:** The applicant attests, under penalty of perjury, that the information on this form is true, correct, and complete to the best of their knowledge, information, and belief. If required, the Applicant hereby agrees to provide additional information necessary to perform a Criminal Records check to verify the information provided on this form.

\_\_\_\_\_  
Signature of Business Owner or Principal Officer

\_\_\_\_\_  
Date

**Please PRINT legibly name of the Business Owner or Principal Officer of the business**

FOR CITY USE ONLY

Planning Department Review (if required):

Zoning Class: \_\_\_\_\_ Locator #: \_\_\_\_\_ Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

\_\_\_\_\_  
Zoning Administrator

\_\_\_\_\_  
Date

**St. Louis County Department of Public Works**  
**Division of Code Enforcement**

## **Commercial Re-Occupancy Application Instructions**

A **Certificate of Use and Occupancy** (sometimes referred to as an Occupancy Permit) **is required prior to moving into a vacant tenant space or building and opening for business.** The re-occupancy application and inspection process may be used if your **proposed use of the space or building is the same as the previous use** and you plan on moving into the vacant tenant space or building in its existing condition without doing any renovations (other than painting, carpeting, and similar cosmetic work) to the space or building. You may not use this process if you are proposing a “Change in Occupancy” to a different use/occupancy group classification under the building code since a “Change of Occupancy” almost always requires renovation work to be done for code compliance (for additional information about “Change in Occupancy” please see our “Guide for Opening, Expanding, or Relocating a Business” found on the Business Assistance Center web page).

In addition, occupancies requiring specific code related upgrades may also require permit and plan submission even though there is no change in occupancy.

When filling out the application for re-occupancy, be sure to **complete all information** accurately. This will aid in avoiding unnecessary delays in processing your application.

Under section marked “Proposed Use” please be very specific in your description. **Example:** If the building or tenant space is to be used for a sales operation, will it be retail sales or wholesale sales? What types of merchandise or products will you be selling? Or, if you plan on using the building or tenant space for storage, what type of materials or products do you intend to store? (Furniture, clothing, paint, mechanical equipment, etc.)

Information such as locator number, type of construction, etc., can be obtained from the building owner. If you can supply a sketch showing the parking in relationship to the building, it would expedite the processing of your application.

If the structure is located in a **municipality** that contracts with St. Louis County for re-occupancy code enforcement, **you must obtain zoning approval from the municipality before** applying for the re-occupancy permit. Zoning approval must accompany your application.

Your check in the amount of \$126.00, made payable to the Treasurer – St. Louis County, must accompany your application. Re-occupancy application permit **fees are non-refundable.**

Should you have any questions regarding these instructions or the application, please contact our office at 314-615-7866.

For questions regarding the inspection contact commercial inspections at 314-615-7140 Monday thru Friday from 7:30 AM to 9:00 AM only. After you have applied for your permit, **you will need to contact the inspector directly to make an appointment for your inspection.**

**NOTE: It is the applicant’s responsibility to check with the fire protection district for their requirements which may include the issuance of a fire re-occupancy or a fire permit.**



DEPARTMENT of PUBLIC WORKS  
 41 S. CENTRAL AVENUE, FLOOR #6  
 CLAYTON, MISSOURI 63105

**COMMERCIAL APPLICATION FOR  
 RE-OCCUPANCY PERMIT**

DATE \_\_\_\_\_  
 LOCATOR # \_\_\_\_\_  
 PERMIT # \_\_\_\_\_  
 TOTAL \$ \_\_\_\_\_  
 FEES PAID \$ \_\_\_\_\_  
 RECEIVED BY \_\_\_\_\_

BUILDING ADDRESS \_\_\_\_\_ ZIP \_\_\_\_\_

FIRE DISTRICT \_\_\_\_\_ MUNICIPALITY \_\_\_\_\_

PROPOSED TENANT (Company Name) \_\_\_\_\_

PROPOSED TENANT (Individual Name) \_\_\_\_\_

PROPOSED USE \_\_\_\_\_ SQ/FT. TENANT SPACE \_\_\_\_\_

SQ/FT. BUILDING \_\_\_\_\_

PRIOR USE \_\_\_\_\_

BUILDING OWNER \_\_\_\_\_ OWNER PHONE # \_\_\_\_\_

BUILDING OWNER ADDRESS \_\_\_\_\_

NUMBER OF PARKING SPACES \_\_\_\_\_ IS PARKING LOT PAVED \_\_\_\_\_, or UNPAVED \_\_\_\_\_

**SIGNS – A PERMIT MUST BE OBTAINED FOR ALL CHANGES AND NEW SIGNAGE.**

The undersigned herewith applies for an occupancy permit for the above described premises under the terms of the St. Louis County Building Code. The permit fee must accompany this application. If the building is in a municipality, written approval must be obtained from that municipality prior to submitting application. (NOTE: Have the municipal official fill out and approve in Zoning Inspection portion). This application is not a permit and premises shall not be occupied until an inspection is made and all discrepancies (if any) are corrected. Application fee is not refundable.

APPLICANT'S SIGNATURE \_\_\_\_\_ TELEPHONE \_\_\_\_\_

I certify that I am the owner in fee or agent authorized to apply for this permit; that I am authorized to and do consent to entry onto the premises by St. Louis County employees for inspections of the premises.

APPLICANT'S ADDRESS \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL ADDRESS **REQUIRED:** \_\_\_\_\_

**FOR OFFICE USE ONLY**

ZONING INSPECTION: \_\_\_\_\_

ZONED \_\_\_\_\_ APPROVED \_\_\_\_\_ NOT APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS: \_\_\_\_\_

ZONING SIGNATURE: \_\_\_\_\_

**INSPECTOR:**

NUMBER OF OCCUPANTS \_\_\_\_\_ TYPE OF CONSTRUCTION \_\_\_\_\_ FLOORS \_\_\_\_\_

COMMENTS: \_\_\_\_\_

INSPECTOR ASSIGNED \_\_\_\_\_ INSPECTOR SIGNATURE \_\_\_\_\_

APPROVED: YES \_\_\_\_\_ NO \_\_\_\_\_ DATE \_\_\_\_\_ SUPERVISOR'S SIGNATURE \_\_\_\_\_

**NOTE: This is a re-occupancy permit through St. Louis County Department of Public Works. The applicant must also contact the fire protection district for a fire re-occupancy permit or fire permit.**

## **SECTION 605.010: PURPOSE**

The City shall collect a fee for **business**/merchant licenses from all persons, partnerships, corporations or businesses as authorized in Section 94.110, RSMo., which are doing **business** within the City as set out in this Chapter. (Ord. No. 46 §1, 9-1-95)

## **SECTION 605.020: DEFINITIONS**

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

***BUSINESS OR OCCUPATION:*** Any **business**, service, occupation, pursuit, profession or trade, or the keeping or maintaining of any institution, establishment, article, utility or commodity within the City, except as may be otherwise provided by this Chapter.

***FEE:*** **License** fees and taxes levied on or required by any merchant, **business** or occupation.

***LICENSE:*** Any **license** required to be secured under this Chapter.

***LICENSE YEAR:*** Unless otherwise provided, shall mean the year beginning July first (1st), or in the case of initial licenses or businesses newly established, at the commencement of the initial **license** or of doing **business**, and ending on the following June thirtieth (30th).

***MANUFACTURER:*** Any person engaged in the production of some article, thing or object by skill or labor out of raw materials, or from matter that has already been subject to artificial forces or to which something has been added to change its natural condition.

***OFFICE:*** Any person engaged in any **business** or occupation not specifically classified as manufacturing, retail merchant, or manufacturing.

***PERSON:*** Any natural individual, partnership, firm, corporation, or association. As applied to partnerships, firms or associations, the term includes the individual partners or members thereof, and the singular includes the plural.

***RETAIL MERCHANT:*** Any person engaged in the selling of goods, wares or merchandise at any store, stand or place occupied for that purpose within the City except as may be otherwise provided by this Chapter.

***SERVICE:*** Any person engaged in any of the following businesses or occupations, or any **business** or occupation which is not specifically defined as manufacturer, retail or warehouse, but listed in Section 94.110, RSMo.

## **Service Occupation/Offices Categories**

Agents

Amusement parks or similar locations

Appliance repair

Architects and consulting engineers

Artists/art studios

Auctions, auctioneers, per day

Automotive repair service, except new or used car or truck dealers

Bakeries

Banks, trust companies, savings and loan institutions and credit unions

Barbershops

Beauty shops

Builders

Business or correspondence schools

Carnivals, street fairs, exhibitions and circuses, per day

Collection agencies

Commercial parking lots for profit

Contractors, including general electrical, plumbing

Country club/private club

Dance halls/studios

Employment offices/agencies

Express companies/agencies

Funeral homes

Gas and fuel storage

Hospitals

Hotels

Insurance agencies/brokers/adjusters

Laboratories

Laundries

Loan agencies/companies

Manufacturing agents

Mercantile agents/representatives

Money brokers

Motels

Moving and storage

Museums for profit

Nursery schools/day care centers

Nursing homes

Office buildings

Pawnbrokers

Peddlers

Photographers, in office

Picture shows

Private schools



Property management companies

Public halls

Radio repair shops

Real estate agents/company

Research laboratories

Service stations

Sports arenas, rinks and clubs

Telephone/telegraph offices

Theaters

Title companies/examiners

Trade schools

Undertakers

Veterinarians

(Ord. No. 46 §2, 9-1-95)

### **SECTION 605.030: BUSINESS CATEGORY**

A. The City shall initially establish and identify each **business** within the categories as proposed above. Any **business** which objects to the category upon which it is originally placed or the square footage determination, shall have the opportunity to file a written appeal to the Finance and Administration Committee of the City for designation to a category other than the category to which they are originally assigned or to change the square footage. Said appeal must be filed with the Director of Finance within sixty (60) days after the **business** is assigned its original category or after the square footage determination is made, for an appeal to be taken.

B. For the purpose of **business** categorization, nursing homes, senior citizen complexes and/or apartment complexes are to be categorized solely on the square footage of the office area of said complexes. (Ord. No. 46 §3, 9-1-95)

### **SECTION 605.040: LICENSE REQUIREMENT**

No person shall engage in any of the businesses, trades or avocations described in this Chapter within the City without first having obtained a **license** therefor from the Finance Director and paying such officer the designated fee or tax; provided that no **license** shall be required for any person that has no temporary or permanent physical office, facilities or infrastructure, stand, outlet, or **business** or vending location within the City limits. Except as otherwise may be provided herein, the **license** shall be for the annual **license** year. (Ord. No. 46 §4, 9-1-95; Ord. No. 373 §1, 1-26-98)

## **SECTION 605.050: FEE SCHEDULE**

The following fee schedule shall apply to all merchants, businesses and occupations, manufacturers and warehouses:

1. *Retail merchants.* The annual **license** fee per location for businesses defined as retail merchants in Section 605.020 above shall be twenty-five dollars (\$25.00) for businesses occupying zero (0) to three hundred twelve and one-half (312.5) square feet, and an additional eight cents (\$0.08) per square foot for businesses occupying buildings in addition to three hundred twelve and one-half (312.5) square feet, except that no **license** fee shall exceed ten thousand dollars (\$10,000.00).

2. *Services/offices.* The annual **license** fee per location for businesses defined as services or offices in Section 605.020 above shall be twenty-five dollars (\$25.00) for businesses occupying zero (0) to six hundred twenty-five (625) square feet, and an additional four cents (\$0.04) per square foot for businesses occupying buildings in addition to six hundred twenty-five (625) square feet, except that no **license** shall exceed ten thousand dollars (\$10,000.00).

3. *Manufacturers/warehouses.* The annual **license** fee per location for businesses defined as manufacturer or warehouses in Section 605.020 above shall be twenty-five dollars (\$25.00) for businesses occupying zero (0) to one thousand two hundred fifty (1,250) square feet, and an additional two cents (\$0.02) per square foot for businesses occupying buildings in addition to one thousand two hundred fifty (1,250) square feet, except that no **license** fee shall exceed ten thousand dollars (\$10,000.00). (Ord. No. 46 §5, 9-1-95)

## **SECTION 605.060: PRO-RATED FEES**

A. The applicant for a **license** for an initial **license** or for a new place of **business** or to engage in a new occupation shall be required to pay the full annual **license** fee if at the time of the application for a **license** less than three (3) months of the current **license** year have expired.

B. If three (3) months or more but less than six (6) months have expired, the applicant shall be required to pay three-fourths ( $\frac{3}{4}$ ) of the annual **license** fee.

C. If six (6) months or more but less than nine (9) months have expired, the applicant shall be required to pay one-half ( $\frac{1}{2}$ ) of the annual **license** fee.

D. If nine (9) months or more have expired, the applicant shall be required to pay one-fourth ( $\frac{1}{4}$ ) of the annual **license** fee.

E. Provided however, that no **license** fee shall be issued for less than twenty-five dollars (\$25.00). (Ord. No. 46 §6, 9-1-95)

## **SECTION 605.070: LICENSE APPLICATIONS -- ISSUANCE -- CONDITIONS**

A. *Applications.* Application for a **license** shall be made in writing on a form provided by the City and submitted to the Director of Finance. An application shall be made to renew any **license** at its expiration. All holders of licenses or permits shall be responsible for reporting changes in initial application data immediately as the same occur. The form of licenses shall be prescribed and furnished by the Finance Director or his/her designee.

B. *Issuance.* All licenses shall be granted and signed by the Finance Director upon proof of a certificate of insurance for workers' compensation coverage if said applicant for **license** is required to cover his/her liability under Chapter 287, RSMo., 1988, as amended.

C. *Denial.* The City may refuse to grant or renew any **license** for any of the following reasons:

1. Failure to have or to provide proof of workers' compensation coverage as required under Subsection (B) of this Section;
2. Providing fraudulent information regarding workers' compensation coverage on an application for **business license**;
3. The **business** or activity sought to be licensed is deemed to be one that would constitute a breach of the peace, a detriment, a menace to the health, safety or welfare of the public or a disturbance of the peace or comfort of the residents of the City if it were licensed;
4. The **business** or activity sought to be licensed would be conducted in violation of any law of the United States or of the State or ordinance of the City; or
5. Any other basis for revocation as set out herein.

D. *Liability.* Nothing in this Section shall be construed to create or constitute a liability to or a cause of action against the City to the issuance of any **license** pursuant to this Section.

E. *Approval Of License--Conditions.* When the application, or investigation of such application, indicates that a **license** may not be issued in compliance with this Section or other law, the Finance Director may, at the Director's discretion, refer the application to the Council for a hearing on such matter. If upon finding that the application would satisfy the requirements of the ordinance only if certain conditions were imposed as a condition of the **license**, the Council may at its discretion grant such **license** subject to such reasonable conditions as may be appropriate. Such conditions may include, but are not limited to, shortening the **license** period, requiring additional information, conditioning other permits, licenses, or City authorizations upon compliance with this Section, conditions relating to the activity, or other such conditions as may ensure that the

**business** or activity will be engaged in lawfully and in compliance with this Section and other applicable law.

F. *Limitation On Hours Of Business.* In addition to any requirements in ordinances relating to zoning, nuisance, or other regulations of the City, no **business** location shall operate between the hours of 11:00 P.M. to 6:00 A.M. within one thousand (1,000) feet of any residential dwelling except where operation during such hours are expressly permitted by applicable zoning district. This limitation shall not preclude non-retail **business** activity wholly inside a building and for which no deliveries or other vehicular or non-employee pedestrian traffic is occurring. Any **business** holding a valid **business license** upon the effective date of this provision (January 26, 1998) shall be exempt from this requirement for the period of the **license** and all subsequent renewals of such **business**, including successor licensees on the premises conducting the same activity. (Ord. No. 46 §7, 9-1-95; Ord. No. 373 §2, 1-26-98)

#### **SECTION 605.080: INVESTIGATIONS**

Upon receipt of an application for a **license** which requires an investigation or an inspection by any department of the City or other government unit and the approval thereof as to the character or fitness of any applicant for a **license**, or as to the proper location or condition of the premises in which the **business** for which a **license** is applied, is to be managed, conducted, operated or carried on, the City Administrator or his/her designee shall transmit to each department or governmental unit charged with the investigation and approval of any such application, such information as may be necessary in order that the required investigation or inspection may be made. Each Department Head so charged with such investigation or inspection shall, upon receipt of such information, cause an investigation or inspection to be made, and shall, within ten (10) days after the receipt of such information, either approve or disapprove the issuance of such **license**, and shall notify the Finance Director or his/her designee. (Ord. No. 46 §8, 9-1-95)

#### **SECTION 605.090: ESTABLISHMENT OF SQUARE FOOTAGE**

The City, through the Director of Finance, working in conjunction with the Department of Planning, is empowered to set and determine the square footage for each **business** based upon an independent evaluation and information contained in public records. In each case, the decision of the Director of the Department of Planning shall be final as to the square footage. (Ord. No. 46 §9, 9-1-95)

#### **SECTION 605.100: USE DETERMINATION**

The square footage for each **business license** shall be based upon the **business'** predominant use at their **business** location. All licenses shall be calculated based upon a single use as opposed to being a varied use and that use which has the largest percentage shall be the overriding use which shall be used in determining the rate to be set. (Ord. No. 46 §10, 9-1-95)

#### **SECTION 605.110: TRANSFER OF LICENSE**

No **license** shall be assignable or transferable, except that in the case of the sale of a **business** during the annual **license** year the seller and purchaser may request of the City Council, in writing, authority to transfer the **license** to the purchaser for the remainder of the annual **license** year. (Ord. No. 46 §11, 9-1-95)

#### **SECTION 605.120: SEPARATE LICENSE FOR EACH PLACE OF BUSINESS**

A separate **license** shall be obtained for each stand, store or place of **business** conducted, operated or maintained by every merchant, **business** or occupation or manufacturer or warehouse for which a **license** is required, and the Finance Director shall be notified of any change of address within seven (7) days after such change. (Ord. No. 46 §12, 9-1-95)

#### **SECTION 605.130: ADDITIONAL BUSINESSES AT SAME ADDRESS**

Whenever any applicant for a **license** is engaged in more than one (1) occupation or **business** at the same address, such applicant may at his/her option, in lieu of making application and paying for a separate **license** for each such occupation or **business**, make application and pay for the occupation or **business license** for only the major or principal **business** or occupation of the applicant at such address, but he/she shall report the square footage of each such occupation or **business** separately as part of the total square footage of the licensed **business**. (Ord. No. 46 §13, 9-1-95)

#### **SECTION 605.140: CHANGE OF LOCATION OR OPERATION**

If any person licensed to engage in a **business** or occupation at a particular place desires, before the expiration of the **license** period, to change the location of such place of **business**, he/she shall forthwith notify the Finance Director of such fact. No **business** or occupation shall be engaged in under the authority of such **license** at such new location until the notice of such change has been given as herein provided, and until such licensee has complied with all the provisions of this Chapter relating to the engaging in of such **business** or occupation at such new location, including the approval of the head of the Departments or governmental units which originally approved the application for such **license**. (Ord. No. 46 §14, 9-1-95)

**SECTION 605.150: DISPLAY OF LICENSE**

Each **license** granted by the City shall be carefully preserved and shall be displayed in a conspicuous place in the place of **business** authorized to be conducted by such **license**. (Ord. No. 46 §15, 9-1-95)

**SECTION 605.160: SALE, RENT OR LEASE OF A PORTION OF PREMISES**

Any merchant, **business** or occupation or manufacturer which sells, rents or leases any portion of its stand, store, or place of **business** or premises to another whose square footage will not be included in the return of the lessor shall report the fact of such sale, rent, or leasing together with the name and address of the purchaser, renter or lessee in writing to the Finance Director. Such report shall be made within five (5) days after such purchaser, renter or lessee has taken possession and shall include a general description of all the goods, commodities or ware-dispensing devices installed in the premises by such purchaser, renter or lessee. (Ord. No. 46 §16, 9-1-95)

**SECTION 605.170: EXAMINATION OF PREMISES**

The Finance Director, or his/her designee, shall have the right at all reasonable times during regular **business** hours to examine the premises for the purpose of determining the truthfulness and accuracy of any statements made by the applicant in his/her application for **license** or in the payment of his/her **license** tax. (Ord. No. 46 §17, 9-1-95)

**SECTION 605.180: CONDITION OF PREMISES**

No **license** shall be issued for the conduct of any **business**, nor shall any **license** be renewed, if the premises and building to be used for such a purpose do not fully comply with the requirements of the Building, Maintenance, Fire and Health Codes. No such **license** shall be issued for the conduct of a **business** or the performance of an act which would constitute a violation of the Zoning Code or other land use regulation of the City. (Ord. No. 46 §18, 9-1-95)

**SECTION 605.190: WAIVER OF FEE**

When, in the opinion of the City Council, it is in the best interest of the public welfare, and when the **license** sought is for charitable purposes or for the City or a department of the City, or is sponsored by a charitable, religious or non-profit association or group of persons, the **license** fee provided for may be waived. In no case shall the filing of an application be waived. (Ord. No. 46 §19, 9-1-95)

## **SECTION 605.200: RECORDS**

The Finance Director shall cause to be kept a record of every **license** issued, the amount of the fee paid, the purpose for which such **license** was issued, the location where the **license** privilege is to be exercised and the name of the licensee. (Ord. No. 46 §20, 9-1-95)

## **SECTION 605.210: LICENSE REVOCATION OR SUSPENSION**

A. Any **license** may be revoked by the City Administrator at any time for conditions or considerations which, had they existed at the time of issuance, would have been valid grounds for its denial; for any misrepresentation of a material fact in the application discovered after issuance of the **license**; or for violation of any provision of the **business** or enterprise for which the **license** has been issued. Such revocation shall become effective upon notice to such licensee. Such notice shall specify the reasons for suspension and may provide the conditions under which reinstatement of the **license** may be obtained. Upon compliance with such conditions within the time specified, such **license** may be restored.

B. No licenses shall be suspended or revoked, except as provided in Subsection (C) hereof, until notice has been given to the licensee as hereinafter provided, until a reasonable time, not to exceed seven (7) days, has elapsed to enable the licensee to comply with the provisions of this Chapter and applicable State Statutes and until the licensee has been given an opportunity to appear at a hearing as provided in this Section. Such suspension or revocation of a **license** may be in addition to any fine imposed by this Chapter. No licensee whose **license** has been revoked, as provided in this Section, shall be eligible for a new **license** during the period for which the revoked **license** was originally issued.

C. Anything herein or hereafter notwithstanding, the City Administrator may suspend, for a period not exceeding thirty (30) days, without prior warning, notice or hearing, any **license** issued under this Chapter during the term of such **license**, for the failure of any licensee to comply with any provision of this Chapter, a Statute of the State or the **license** relating to the **business**, occupation or activity for which such **license** was issued if, in the judgment of the City Administrator, such failure constitutes a clear and present danger to the public safety.

D. A **license** holder whose **license** is suspended or revoked shall immediately discontinue the **business**, occupation or activity for which the **license** was issued. A separate offense shall be deemed committed each day the **license** holder continues to do **business** after a **license** suspension or revocation.

E. A licensee whose **license** is suspended may, at any time, petition, in writing, the City Administrator for a hearing or make a written application to the City Administrator for reinspection for the purpose of reinstatement of the **license**. Any such hearing shall be held as soon as possible and shall be conducted at a time and place designated by the



Administrator. Based upon the record of such hearing, the Administrator, as the case may be, shall make a finding and shall sustain, modify or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the licensee within seven (7) days after the hearing is concluded.

F. The licensee may appeal any decision of the Administrator at such a hearing to the Finance and Administration Committee of the Council, by giving written notice of a request for consideration by the Council of the Administrator's decision. Such notice must be received by the City Clerk within seven (7) working days from the receipt by the licensee of the written decision of the hearing.

G. When the Council or the Administrator is aware of conditions which may justify the suspension or revocation of a **license** and schedules a hearing in that regard, written notice of that hearing shall be given to the licensee. Any such notice shall be deemed to have been properly served when it has been delivered personally to the licensee or when it has been sent by registered or certified mail, return receipt requested, to the last known residence or **business** address of the licensee. (Ord. No. 46 §21, 9-1-95)

#### **SECTION 605.220: VIOLATIONS -- PENALTIES**

A. *Delay In Payment.* All **license** fees provided for in this Chapter shall be deemed delinquent if not paid by July thirty-first (31st) of each year, and any person so delinquent shall pay to the Finance Director an additional ten percent (10%) of the amount due for the first (1st) month of such delinquency and one percent (1%) of the amount due for each month or part thereof that such delinquency thereafter continues, in addition to any other penalty described in this Chapter.

B. *False Statement Causing Reduction In Payment.* Any person who makes a false statement which causes a reduction in any **license** fee shall be required to pay to the Finance Director the additional amount due, plus a penalty of twenty-five percent (25%) of such additional amount, plus one percent interest per month or fraction thereof on such additional amount from the date originally due, in addition to any other penalties prescribed in this Chapter.

C. *Non-Compliance Or Violation.* Any person failing to comply with or any violation of any provision of this Chapter shall be guilty, upon conviction thereof, of an offense. Any fine assessed for such an offense shall be in addition to any other penalties assessed for delinquency or false statements causing a reduction in payment.

D. *Revocation.* Any failure to comply with or any violation of any provisions of this Chapter by any licensee under this Chapter shall be cause for revocation or suspension of such **license** by the City Council upon recommendation of the City Administrator, and such revocation or suspension shall be in addition to any other penalties prescribed in this Chapter.

E. *Penalty.* Whoever violates or fails to comply with any of the provisions of this

Chapter shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00). A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues. (Ord. No. 46 §22, 9-1-95)

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