

CHAPTER 12

LICENSES GENERALLY

12-1. Compliance required. No person shall engage in any trade, profession, business or privilege for which a license is required by any provision of this Code without first obtaining such license from the city in the manner provided in this chapter, unless otherwise specifically provided.

12-2. No issuance to applicant indebted to city. No licenses required by this Code for the engaging in any business or the sale of any article shall be issued to any person who is indebted to the city, or to any department thereof or who is indebted to the city for any fine or penalty adjudged against such person for the violation of any ordinances of the city, unless the indebtedness or the fine or penalty is first paid.

12-3. Application. Unless otherwise provided, application for a license shall be made to the city upon forms provided by the city and the applicant shall state the location of the proposed activity and such other facts as may be required for or be applicable to the granting of such a license.

12-4. Payment of fee. The fees required for any license shall be paid to the city before the granting of the license. Unless otherwise provided, no license fee shall be prorated for a portion of a year, and no license fee paid shall be refunded.

12-5. Delinquent payment fees. Where a license is required by this Code for the sale, offer for sale of any goods, wares, food, beverages, or articles, or for the conduct of any business, or for the doing of any act, and the license fee is not paid within the time required by this Code, there shall be added to the amount of the license fee an amount equal to 25 per cent thereof which shall be collected as a part of the license fee before a license may be issued. The 25 per cent shall be in addition to any fine, which may be imposed because of a violation of this Code.

12-6. Bond and insurance. All required bonds shall be executed by two sureties or a surety company, and be subject to the approval of the Mayor and the City Council. Where policies of insurance are required, such policies shall be approved as to substance and form by the City Attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the city before the license is issued.

12-7. Approval or denial. (a) Where the approval of any city officer or state officer or the Council is required prior to the issuance of any license, such approval must be presented to the city before any license is issued.

(b) No license shall be approved by any city officer or issued by the city if it appears that the conduct of the activity for which a license is sought will be contrary to the health, safety or welfare of the public or any regulation, law or ordinance applicable to such activity.

12-8. Term. (a) Unless otherwise provided, the term of the license year shall begin on May 1 and end on April 30.

(b) Where the issuance of licenses for periods of less than one year is permitted, the effective date of such license shall commence with the date of issuance.

12-9. Certificates. License certificates shall show the date of issue, the activity licensed and the term of the license, and shall be signed by the Mayor and City Clerk, and be impressed with the city seal.

12-10. Exhibition of certificate. Every licensee shall carry his license certificate upon his person at all times when engaged in the activity for which the license was granted; except that where such activity is conducted at a fixed place or establishment, the license certificate shall be exhibited at all times in some conspicuous place in his place of business. The licensee shall exhibit the license certificate when applying for a renewal and upon demand of any police officer or person representing the issuing authority.

12-11. Transferability. Unless otherwise provided, no license shall be transferable without the authorization of the City Council.

12-12. Renewal. License renewals shall be issued in the same manner and be subject to the same conditions as original licenses.

12-13. Revocation. Any license issued by the city may be suspended or revoked by the Mayor or City Council for any of the following causes:

(1) Fraud, misrepresentation of incorrect statement contained in the application for license, or made in carrying on the licensed activity.

(2) Conviction of any crime or misdemeanor.

(3) Conducting such licensed activity in such manner as to constitute a breach of the peace, or 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, upon recommendation of the Health Officer or other appropriate city officer.

(4) Expiration or cancellation of any required bond or insurance or failure to notify the city of changes in the terms of the insurances of the carriers.

(5) Actions unauthorized or beyond the scope of the license granted.

(6) Violations of any regulation or provision of this Code applicable to the activity for which the license has been granted, or any regulation or law of the state so applicable.

(7) Failure to continuously comply with all conditions required as precedent to the approval of the license.

12-14. Inspections. The Health Officer and other city officers may enter upon the premises where any licensed activity is being conducted for the purpose of inspection at any reasonable hour.

12-15. Hearing. Any person aggrieved by the action of any city official in denying, revoking, or suspending a license or permit shall have the right to a hearing before the City Council on any such action, provided a written request therefor is filed with the City Clerk within 10 days after receipt of the notice of such denial, revocation, or suspension. The action taken by the City Council after hearing shall be the final administrative action.